

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85209 of 2025

Arising Out of PS. Case No.-301 Year-2025 Thana- ASHTHAWAN District- Nalanda

Kailu Singh @ Gulshan Son of Geeta Singh @ Lato Singh Resident of
Village - Maharath, P.S. - Shahpur, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Nandan Prasad, Advocate Mr. Rajnish Kumar, Advocate
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 303(a), 317(5), 132 and 3(5) of B.N.S. and section 27 of the Arms Act.

3. The case of the prosecution is that a red colour tractor with trailer which was loaded with sand was stopped by police. The driver of the tractor disclosed that the petitioner is the owner of that tractor. The driver could not show any document regarding the sand. Further case of the prosecution is that after some time, unknown miscreants arrived in a car and forcefully took away the tractor detaching the trolley on gun point.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that save and except the statement of the driver who has stated that the petitioner is the owner of the said tractor, there is nothing against this petitioner. From perusal of the order of the trial court, it transpires that as far as ownership of the tractor is concerned, it has not come that the petitioner is the owner of the tractor. There is no allegation against him that he has forcefully got the tractor released from police. Nothing has been recovered from his possession. He has been framed in this case only because of his criminal antecedents. Moreover, he is languishing in judicial custody since 12.10.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and submitted that petitioner is having criminal antecedent of fifteen cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Asthawan P.S. Case No. 301 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned J.M. 1st, Biharsharif, Nalanda
with the following conditions:-

**(i) petitioner shall cooperate in trial and shall be
physically present in the trial court whenever required.**

**(ii) petitioner shall not indulge in similar nature of
offences in future.**

(Ashok Kumar Pandey, J)

Shubham/-

U		T	
---	--	---	--

