

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2588 of 2026

Arising Out of PS. Case No.-125 Year-2025 Thana- JOGBANI District- Araria

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Pawan Kumar Sah S/o Bishundeo Sah @ Bishnudev Sah Resident of village-
Bathnaha, Ward No. 06, PS- Bathnaha, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Kumar Ravish, Advocate
	Mr. Sanjay Kumar Sharma, Advocate
	Mr. Rohit Kumar, Advocate
For the Opposite Party/s :	Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Jogbani P.S. Case No. 125 of 2025 registered for the offences
under Sections 318(4), 316(2) and 3(5) of the B.N.S.

3. As per the prosecution story, the allegation against
the petitioner is that he had introduced, as a broker, the truck
owner for carrying the consignment of the informant which
went missing.

4. Learned counsel for the petitioner submits that
from mere perusal of the F.I.R, it would be evident that the
petitioner is neither the driver nor the owner of the truck and
even apprehension has been shown only against the owner and
the driver of the truck. It has been submitted that there was no



entrustment of goods to the petitioner and as such there is no illegality committed by him. It has further been submitted that nothing has been recovered from the conscious possession of the petitioner or from his house and that the petitioner has no concern whatsoever with regard to the theft of the goods of the informant. It has next been submitted that it is an admitted case of the informant that the petitioner acted merely as a broker. It has lastly been submitted that the petitioner carries clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Jogbani P.S. Case No. 125 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to



the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.



7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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