

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17673 of 2026

Arising Out of PS. Case No.-331 Year-2025 Thana- SAKRA District- Muzaffarpur

1. MD. JAKIR S/o- Jakir Hussain @ Md. Jakir R/v- Rupapatti Ps- Sakra Dist- Muzaffarpur
2. Md. Ekram @ Md. Raja S/o- Jakir Hussain R/v- Rupapatti Ps- Sakra Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 317(2), 317(4), 317(5), 338, 336(3), 340(2), 318(4), 132, 131, 221, 61(2) of the B.N.S.

3. The allegation in the First Information Report is that the petitioners had kept three stolen tractors in front of his shop and house, which was recovered and, accordingly, seizure list was prepared.

4. Learned counsel for the petitioners submits that out of three tractors which are said to have been found in front



of the shop and house of the petitioner, one tractor belongs to the petitioner and the document with regard to the ownership of the same has also been brought on record by way of Annexure-P/2, which is in a form of sale letter. The petitioners have no concern with the other two tractors, which are said to have been recovered from the area adjoining their shop and house. Further, the said search and seizure has also not been made in the presence of independent witness violating the mandatory provisions of search and seizure.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report and submits that the petitioners have criminal antecedent. In response to which, it has been submitted by learned counsel for the petitioners that the petitioners are on bail in those cases.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each 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 Sakra P.S. Case No. 331 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to condition(s) that:

- (i) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioner shall co-operate with the investigation, if not already concluded and make themselves available as and when so required, failing which the prosecution will be at liberty to move cancellation of their bail bond.

(Soni Shrivastava, J)

anand/-

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