

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17188 of 2026

Arising Out of PS. Case No.-137 Year-2025 Thana- Kavaiya District- Lakhisarai

Mahesh Kumar, Son of Rajendra Saw, Resident of Village - Narayanpur, P.S. -
Barbigha, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Anand, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 24-06-2026 Heard learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Kabaiya P.S. Case No. 137 of 2025 registered for the offences punishable under Sections 303(2) and 317 (2) of the Bharatiya Nyaya Sanhita, 2023.

3. The Assistant District Supply Officer, Lakhisarai, acting on a tip off regarding black marketing, conducted raid and intercepted a Mahindra Pick-up van, having registration no. BR 21GB 1483 and recovered 65 gunny bags of subsidized government rice. The driver of the Pick-up van disclosed the name of the petitioner, as the owner of the Pick-up van.

4. Learned Advocate for the petitioner submitted that only on account of the petitioner being the owner of the Pick-up



van, in question, his name has been implicated in this case. In fact, the said Pick-up van was running for the transportation of goods on rent by the driver, and the petitioner was not even acquainted with the fact that the rice, which was being transported, was for the purpose of black marketing. The entire case is based on suspicion that the seized rice was Government subsidized rice, as neither any complaint has ever been made nor during the course of investigation the fact of black marketing has unearthed. The petitioner bears one criminal antecedent, as has been disclosed in supplementary affidavit, however, he undertakes that he will fully cooperate in the proceedings of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the name of the petitioner has been implicated in this case only on account of he being the owner of Mahindra Pick-up van, which was hired on rent, and no materials have been collected during the course of investigation suggesting his complicity, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of



receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai or his successor in connection with Kabaiya P.S. Case No. 137 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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