

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15107 of 2026

Arising Out of PS. Case No.-139 Year-2025 Thana- Ghogha District- Bhagalpur

Niranjan Yadav @ Niranjan Kumar Yadav, aged 39 years, Male, Son of Ghuran Yadav, resident of Village - Parsa, Amaour, P.S- Balbadda, Parsa, District - Godda (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-03-2026 Heard Mr. Anand Kumar Ojha, learned counsel appearing on behalf of the petitioner and Mr. Ram Bilash Roy Raman, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Ghogha P.S. Case No. 139 of 2025, registered for the offence punishable under Sections 223(a), 262, 109(1), 132, 302(2) and 3(5) of the BNS.

3. As per the allegation made in the FIR, on 07.09.2025, in course of patrolling, when the police team had reached at newly constructed four line where the Mining Inspector, Bhagalpur and Dy.S.P., Kahalgaon were present, seized 27 Hiva trucks. The driver had allegedly threatened to kill the police officials and also attempted to crush. Rest 12



Hiva trucks were seized and present FIR has been lodged against 27 Hiva trucks for legal action.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and he has falsely been implicated in the present case. Petitioner is the owner of the Hiva truck bearing Registration No. JH-04-AC-9113, which was being driven by his driver and petitioner has no concern with the occurrence nor he was present at the place of occurrence. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the FIR, I find that altogether 12 Hiva trucks were seized at the place of occurrence. Petitioner has claimed himself to be the owner of the Hiva truck bearing Registration No. BR 11 GA-9025 but the same was being driven by his driver. The driver had valid license. The learned District Court is directed to verify that the petitioner has all the required documents as per the provision of Motor Vehicle Act like papers relating to pollution, insurance and other documents. In case there is no violation, the petitioner, above



named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court on furnishing of Bank Guarantee equal to the value of the Hiva truck within a period of four weeks from today and on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Ghogha P.S. Case No. 139 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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