

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29260 of 2026

Arising Out of PS. Case No.-104 Year-2024 Thana- SINDHUGAR District- Gaya

1. Satyendra Kumar S/o Bhola Yadav R/o Village - Matagadhha, P.S - Sindhugarh (Mohanpur), District - Gaya
2. Vikash Kumar S/o Rajkishor Yadav @ Ram Kishor Yadav R/o Village - Matagadhha, P.S - Sindhugarh (Mohanpur), District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Sindhugarh P.S. Case No. 104 of 2024 lodged on 09.10.2024, for the offence punishable under Sections 317(5) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioners. Three motorcycles subject to theft have been recovered. The petitioners have not been apprehended from the place of occurrence, but in-spite of the knowledge that motorcycles were subject to theft, the accused persons used to utilize the said



motorcycles.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that the petitioners have clean antecedent and they have not been arrested from the place of occurrence. He submits that the allegation against the petitioners is that in-spite of the knowledge that the motorcycles were subject to theft, they used to carry illegal wine driving the said motorcycle from one place to another. He submits that the name of the petitioners transpired in this case only by virtue of the confessional statement of the co-accused. Counsel submits that the petitioners were completely unaware that the motorcycles were subject to theft.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the entire *modus operandi* has been alleged in the FIR that in-spite of the knowledge, petitioners used to drive the said motorcycle for transportation of illegal materials.

6. In the present facts and circumstances of this case considering that the petitioners were not arrested from the place of occurrence and their name has come by virtue of confessional statement of the co-accused, let the above named petitioners be



released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of A.C.J.M.-II, Sherghati, Gaya Ji, in connection with Sindhugarh P.S. Case No. 104 of 2024, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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