

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33247 of 2026

Arising Out of PS. Case No.-32 Year-2026 Thana- SHIVAJINAGAR District- Samastipur

1. Prince Kumar S/o Ram Kalesh Rai @ Ramkalesh Rai Residents of Village- Kamopur, Police station- Khanpur, District- Samastipur.
2. Indrajeet Kumar S/o Raja Ram Mahto Residents of Village- Kamopur, Police station- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 287, 317(2), 317(4), 317(5) and 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the informant got secret information regarding storage of petroleum for black marketing and upon such information, he proceeded with other police personnel to Village-Bagdharwa where 1115 litres of petroleum was recovered from a Mahindra Pickup tanker in front of the house of one Shanti Devi.

4. Learned counsel for the petitioners submits that



the recovery of petroleum has been made from a modified Mahindra Pickup tanker which was parked in front of the house of one Shanti Devi. It is submitted that the petitioners have only been stated to be into the business of doing black marketing, however, no recovery has been made from the personal or conscious possession of these petitioners. The FIR itself indicates that one Gulab Khan @ Rinku Singh was also said to be involved in the occurrence with the allegation of supply of petrol. Learned counsel further submits that the confessional statement of the petitioners has been taken by the police on threat and coercion and has no evidentiary value. Further, the petitioners have clean antecedent and are in custody since 14.03.2026 without any involvement.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the First Information Report.

6. Taken into consideration the facts and circumstances and also considering the fact that the recovery has been made from a tanker and the petitioners have clean antecedent, let the above named petitioners, be released on bail 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 Sub-Divisional Judicial Magistrate,
Rosera at Samastipur/concerned Court below in connection
with Shivajinagar P.S. Case No. 32 of 2026 subject to condition
that:-

(i) One of the bailors will be their own blood
relative, preferably, father, mother or any other immediate
family member.

(ii) The petitioners shall cooperate in the
investigation, if not concluded and be physically present in
Court during trial.

(Soni Shrivastava, J)

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