

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33443 of 2026

Arising Out of PS. Case No.-173 Year-2026 Thana- SAHARSA SADAR District- Saharsa

Sanjeev Kumar @ Sanjiv Sharma, S/o Boa Sharma @ Baua Sharma, Resident
of Village- Jhapra Tola Ward No. 31/29 Saharsa, P.S.- Saharsa Sadar, District-
Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 18-05-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State through virtual mode.

2. The petitioner is apprehending his arrest in connection with Saharsa Sadar P.S. Case No. 173 of 2026, registered for the offence(s) under Section(s) 317(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the police received an information that the petitioner owns a wielding shop and is dismantling one e-rickshaw which is said to be stolen. The police conducted a raid and saw one person running away from the said shop of the petitioner, namely, Sanjeev Kumar, who managed to escape. The police carried out a search and found that there was one e-rickshaw in a dismantled position on which



chassis number was found to be printed on the part of the said e-rickshaw which was seized and a seizure list was prepared.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case merely because he owns the said shop. It has further been submitted that the petitioner was admittedly not present at the time of said raid and it is also not stated that the person who had fled away from the said shop was actually the petitioner. It has further been submitted that though it has been alleged that the said parts of the e-rickshaw was stolen one, however, there is no reference of any person to whom the said e-rickshaw belonged, and no report regarding the theft of said e-rickshaw was made earlier. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today,



on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Saharsa Sadar P.S. Case No. 173 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

(iv) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedents, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.



7. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

krishna/deepak/-

U		T	
---	--	---	--

