

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38552 of 2026

Arising Out of PS. Case No.-240 Year-2026 Thana- GAURICHAK District- Patna

Harikant Ray S/o Late Pabitra Rai R/o Vill-Gangapur, Police Station- Fatuha,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Gaurichak P.S. Case No. 240 of 2026 instituted for the offences punishable under Sections 317(4) and 317(5) of the Bharatiya Nyaya Sanhita.

3. The prosecution case is that the police on secret information that one person was transporting stolen electric wire in a Bolero pick-up vehicle, intercepted the same and when it reached the spot the driver managed to escape and on inspection electric wire was found to be loaded on the vehicle.

4. Learned counsel for the petitioner submits that the petitioner has committed no offence and, in fact, he happens to be the owner of the vehicle and as such he has been made



accused. It has further been submitted that the petitioner had lend his vehicle to one person for carrying the said wire, however he was not aware that the same was procured through theft. It has next been submitted that the petitioner has no concern with the running of the vehicle and, in fact, his son was involved in upkeep of the vehicle and he was subsequently arrested and even send to jail and was granted regular bail. It has lastly been submitted that the petitioner has one criminal antecedent in which he is on bail.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Patna City in connection with Gaurichak P.S. Case No. 240 of 2026, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

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



(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court and shall cooperate in the investigation;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on 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.

(Sourendra Pandey, J)

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