

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48188 of 2026

Arising Out of PS. Case No.-41 Year-2026 Thana- Bhopatpur District- East Champaran

Sandesh Kumar, Son of Hari Kishor Prasad, Resident of Village- Khijirpura,
Ward No 04, PS- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shatrughna Pandey, Advocate

For the Opposite Party/s : Mr.Mohammed Arif,, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bhopatpur P.S. Case No.41 of 2026, registered for the offence under Section 317(5) of BNS.

3. As per the prosecution case, the petitioner was apprehended driving a stolen tractor.

4. The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The report of theft of the said tractor has been registered vide Mashrakh P.S. Case no. 47 of 2023. Three years thereafter, the petitioner was found driving the said tractor. However, the petitioner took the tractor from its owner on good faith, who assured him that he would hand over the document of the tractor



later on, but while driving the said tractor, the petitioner was apprehended. Learned counsel further submits that the petitioner was not having any knowledge that the tractor was stolen. The petitioner is in custody since 28.03.2026 and is having antecedent of one case. The charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the nature of allegation, submission of charge sheet against the petitioner and his period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of Chief Judicial Magistrate, East Champaran, Motihari/court concerned, in connection with Bhopatpur P.S. Case No. 41 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court



below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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