

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52603 of 2026

Arising Out of PS. Case No.-535 Year-2025 Thana- PIPRA District- East Champaran

Rajesh Kumar Sharma S/o Satya Narayan Sharma R/o vill - Barasganj
Mahmadabad, P.S.- Manikpur, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhandev Kumar, Adv

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioner and the
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Pipra P.S. Case No. 535 of 2025, instituted under Section
303(2) of the B.N.S.

3. As per the prosecution story, which has been lodged
on the basis of the written report submitted by the informant to
the effect that his truck bearing registration no. JH12P-2897,
was parked near Kotwa over bridge by driver Suraj Dev Yadav.
One unknown person called on the mobile phone of the driver
by pretending as transporter and told him that some articles have
to be delivered from Chakia to Kodarma. He came around 8:00
in the evening near Kotwa over bridge, where truck of the
informant was parked. He told the driver to have tea with him



and after drinking tea, the driver became unconscious. He was admitted to Muzaffarpur Medical College Hospital by someone and then the informant, after getting the information, went to the hospital. He found the driver to be in unconscious position and he shifted him for better treatment at Novel Hospital, Muzaffarpur. Then the driver informed him about the incident. When the informant went to Kotwa over bridge, he found his truck to be not parked there and somebody has fled with the truck and the mobile of the driver. When he enquired from N.H. people near Toll Plaza, then he got information that somebody had fled with the truck on 05.12.2025 and the driver was admitted at Sub-Divisional Hospital at Chakia. On the basis of the written report submitted by the informant, the FIR has been lodged.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He submits that the name of the petitioner transpired in the present case on the basis of confessional statement given by the two apprehended persons namely, Bablu Tanti and Manoj Sharma, who confessed before the police with regard to the involvement of the petitioner. As per the confessional statement, the truck was recovered outside the garage of the petitioner. He submits



that the petitioner was not present at the place of occurrence and one Rajeev Ranjan @ Manan Chaudhary came with a fourteen-wheeler truck to his garage and told him to modify the said truck and the petitioner was not aware that the truck was a stolen one. He further submits that the petitioner has got a clean antecedent.

5. *Per contra*, the learned APP appearing on behalf of the State opposes the prayer for bail of the petitioner and submits that truck has been recovered from the garage of the petitioner and during course of investigation, co-accused persons have named the petitioner to be the owner of the garage.

6. Having considered the rival submissions and after going through the record, it appears that the truck of the informant was stolen near Kotwa over bridge and the informant came to know about the same through his driver who was found to be in unconscious state and thereafter he was taken for treatment to Muzaffarpur Medical College Hospital. The name of the petitioner transpired in the present case only on the basis of the confessional statement given by the co-accused persons, who were apprehended during course of investigation. Further charge-sheet has been submitted in the present case against the petitioner and the petitioner has got a clean antecedent.



Considering the above, let the petitioner, above named in the event of arrest/surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., East Champaran, Motihari in connection with Pipra P.S. Case No. 535 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and subject to the following condition:-

(I) That the learned court concerned 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 concerned shall take step for cancellation of bail bond of the petitioner. 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.

(Ritesh Kumar, J)

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