

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66794 of 2025

Arising Out of PS. Case No.-524 Year-2023 Thana- Arwal District- Arwal

Shrawan Kumar S/O Ravindra Pandit R/O Village- Sikariya, P.S- Sikariya,
Distt.- Patna, PIN- 801110. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Singh, Adv.

Mr. Magan Kumar, Adv.

Ms. Sandhya Kumari, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 21-01-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Arwal P.S. Case No. 524 of 2023, registered for the
offences punishable under Sections 409 and 379 of the BNS,
2023.

3. The police in course of vehicle checking
intercepted two tractors laden with illegal sand, leading to
institution of the Arwal P.S. Case No. 522 of 2023. The
petitioner on being found owner of one of the tractor, he was
taken into custody. The seized tractor was kept in a field by
entrusting to *Chaukidar*, however, later on, the tractor has been
allegedly taken away by the driver and its owner.

4. Learned Advocate for the petitioner taking this
Court through the FIR contended that once the petitioner was



arrested in connection with transportation of illegal sand and the said tractor was also seized in connection with Arwal P.S. Case No. 522 of 2023, there was no occasion for the petitioner that he stealthily taken away the tractor. In fact some other persons might have caused disappearance of the tractor, but on account of the petitioner being owner of the tractor, in question, his name has been implicated in this case, so that the Chaukidar to whom the entrustment was made any how saved from penal action. The petitioner has no concern with the subsequent occurrence of theft of his own tractor. So far the earlier case bearing Arwal P.S. Case No. 522 of 2023 is concerned, now the petitioner has been released from custody. Prior to the institution of the Arwal P.S. Case No. 522 of 2023, the petitioner had absolutely clean antecedent and he undertakes that he will fully co-operate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of fact that the date on which the tractor, in question, was taken away, the petitioner was in judicial custody in connection with Arwal P.S. Case No. 522 of 2023 and prior to that, the petitioner



had absolutely fair antecedent, let the petitioner above named 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, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Arwal in connection with Arwal P.S. Case No. 524 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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