IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74346 of 2026

CNR No. BRHC011032592026

Arising Out of PS. Case No.-113 Year-2026 Thana- MEDNI CHAUKI District- Lakhisarai

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1. Dharmraj @ Dharmraj Kumar, aged about 21 years (Male), S/O Kamli Bind @ Kameshwari Pd. Singh
2. Jaynandan Kumar, aged about 19 years (Male), S/O Lalo Bind
Both R/O Village- Basgadha, P.S.- Mednichowki, Dist.- Lakhisarai.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rabi Bhushan, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-10-2026 Heard Mr. Rabi Bhushan, learned counsel appearing on behalf of the petitioners and Mr. Nitya Nand Tiwary, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Mednichowki P.S. Case No. 113 of 2026, registered for the offence punishable under Sections 303(2) of the BNS.

3. As per the allegation made in the FIR, the tractor bearing Registration No. BR09GA-8430, which was parked outside the house of the informant, was stolen by some unknown persons.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they have

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falsely been implicated in the present case. FIR is against unknown. Name of the petitioners has surfaced in course of investigation, on the basis of confessional statement of co-accused Jitendra Kumar, which has no evidentiary value in the eye of law. Petitioner no. 1 is aged about 21 years and petitioner no. 2 is aged about 19 years and their complicity in the alleged offence cannot be accepted. Learned counsel further submitted that co-accused Jitendra Kumar is not known to the petitioners and they have no relationship with the said Jitendra Kumar. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR. Petitioners have pleaded that they are innocent and the confessional statement of co-accused Jitendra Kumar, from which, the name of the petitioners has transpired, has no evidentiary value in the eye of law, however, no information has been given by the petitioners in the bail application that the tractor, which was stolen, has been recovered.

7. Learned district court is directed to seek information from the Superintendent of Police concerned about

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the recovery of the tractor and if it is found that the tractor has been recovered and the petitioners are not connected with the same, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Mednichowki P.S. Case No. 113 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS.

8. **The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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