IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76979 of 2026

CNR No. BRHC011095782026

Arising Out of PS. Case No.-20 Year-2025 Thana- TRAFFIC P.S. SITAMARHI District-Sitamarhi

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Mukesh Kumar Yadav S/O Soharai Rai @ Soharai Prasad R/O Village-Kharhaniya, Ward No.6, P.S.- Paroo, Dist.- Muzaffarpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Priyesh Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar, No.2, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The prayer for bail of the petitioner was earlier rejected vide order dated 19.01.2026 passed in Criminal Miscellaneous No. 64744 of 2025, with liberty to the petitioner to renew his prayer for bail before the court below after completion of one year in custody. The petitioner has been in custody since 11.05.2026. Upon completion of one year in custody, the petitioner moved before the trial court for grant of bail; however, his prayer for bail was rejected vide order dated 19.09.2026.

3. Learned counsel for the petitioner further submits

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that the present case, being Sitamarhi Traffic P.S. Case No. 20 of 2025, has been instituted on the allegation that a truck, being driven rashly and negligently, collided with a battery-operated auto-rickshaw, resulting in the death of two passengers. Learned counsel further submits that the petitioner is innocent and has committed no offence. It is submitted that the petitioner was working as a cleaner on the truck, which was being driven by the driver, namely, Baban Rai, who allegedly drove the vehicle rashly and negligently and hit the battery-operated auto-rickshaw. Learned counsel submits that the petitioner, being merely the cleaner of the truck, had no role in the alleged occurrence.

4. Learned Additional Public Prosecutor for the State opposes the prayer for bail but fairly submits that the petitioner was working as a cleaner on the truck. Learned APP further submits that, in view of the liberty granted by a Co-ordinate Bench of this Court while rejecting the petitioner's earlier bail application, permitting him to renew his prayer for bail after completion of one year in custody, the petitioner has preferred the present application.

5. Considering the fact that the petitioner above – named is a cleaner of the truck in question, let he be released on

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bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of learned District and Additional Sessions Judge IX, Sitamarhi, in connection with Sessions Tr. No. 557 of 2025 arising out of Sitamarhi Traffic P.S. Case No. 20 of 2025, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023

(Dr. Anshuman, J)

Ashwini/-

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