

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78114 of 2025

Arising Out of PS. Case No.-609 Year-2025 Thana- SONEPUR District- Saran

Md. Mustaque, Son of Md. Jakir Resident of Village - Rupanpatti, P.S.- Sakra,
District - Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nazia Shabah, Advocate.

For the State : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sonepur P.S. Case No. 609 of 2025 registered for the offences
punishable under Sections 303(2) and 111(2)(b) of BNS.

3. The prosecution case as emerging from the First
Information Report is that two tractors belonging to Amod
Singh and Pramod Singh were stolen bearing registration No.
BR-04GB-2575 and BR-31GA-6452 respectively wherein GPS
were installed. The present FIR has been lodged against
unknown persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner has been remanded



in this case on 15.09.2025 after arrest in Sakra P.S. Case No. 331 of 2025 lodged on account of recovery of same tractors from his house. However, in Sakra P.S. Case No. 331 of 2025, the petitioner is on bail. He further submits that the petitioner has nothing to do with the alleged offence. He deals in iron rod and cement etc.

5. He further submits that the petitioner has been languishing in jail since 15.09.2025.

6. It has also been stated in paragraph No. 3 of the bail petition that the petitioner has one criminal antecedent.

7. It is also stated in paragraph No. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail submitting that the stolen property which are two tractors have been recovered from the present petitioner. As such, it is an unassailable prosecution case against the petitioner. He also submits that the petitioner has similar one criminal antecedent bearing Sakra P.S. Case No. 61 of 2020 registered for the offences punishable under Sections 379, 307 and other allied Sections of the Indian Penal Code.

9. Considering the recovery of stolen property from



the petitioner and similar criminal antecedent of theft against him, I am not persuaded to enlarge the petitioner on bail.

10. Accordingly, the prayer for bail of the petitioner stands rejected.

11. However, the Trial Court is directed to conclude the trial expeditiously preferably within one year, failing which, the petitioner would be at liberty to renew his prayer for bail.

(Jitendra Kumar, J)

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