IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80333 of 2026

CNR No. BRHC011154352026

Arising Out of PS. Case No.-259 Year-2026 Thana- GAUNAHA District- West Champaran

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1. Sahid Ansari Son of Sakur Ansari Resident of Vill- Kandhusari, P.S.- Ramnagar, Distt.- West Champaran
2. Suddu Khan Son of Late Maksud Mian Resident of Vill.- Sabuni, P.S.- Ramnagar, Distt.- West Champaran

... ... Petitioners

Versus

The State of Bihar

... ... Opposite Party

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Appearance :

For the Petitioners	:	Mr. Sanjeev Kumar, Adv.
	:	Mr. Sitesh Kashyap, Adv.
	:	Mr. Bharti Rai, Adv.
	:	Mr. Vikash Kumar Yadav, Adv.
	:	Mr. Raushan Ray, Adv.
For the Opposite Party	:	Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with Gaunaha P.S. Case No.259 of 2026 registered for the offences punishable under Sections 303(2), 317(3), 317(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'B.N.S.') and Section 3 of the Antiquities and Art Treasures Act and Section 30(2) of the Ancient Monuments and Archaeological Sites and Remains Act.

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3. The petitioners are named in the FIR and are in custody since 18.09.2026.

4. As per FIR, petitioners alleged to have in possession of one antique idol of lord buddha weighing about 7.75 Kg, measuring about 8.5 inches in height and 16.5 inches at the base. The petitioners disclosed that the said idol had been stolen from an ancient historical site in Nepal.

5. It is submitted by learned counsel appearing for petitioners that petitioners while on Nepal visit purchased antique piece of lord buddha idol. It is pointed out that both petitioners are men of clean antecedent and, therefore, the allegation that petitioners are habitual for receiving stolen property is not convincing. It is also pointed out that this is not a goods which was reported to be looted. It is further submitted that recovery of idol was made from the dikki of the scooty occupied by different persons and, therefore, it can be safely said that recovery was not made from conscious possession of petitioners.

6. Learned APP opposes the prayer for grant of bail to the petitioners.

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7. In view of aforesaid factual submissions and by taking note of fact as recovery of idol prima-facie appears to be doubtful from conscious possession of petitioners, who are men of clean antecedent and remains in custody since 18.09.2026, accordingly, both above-named petitioners, are directed to be released on bail 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 J.M.F.C., Bettiah, West Champaran/concerned court, in connection with Gaunaha P.S. Case No.259 of 2026, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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