

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90342 of 2025

Arising Out of PS. Case No.-218 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

Md. Isteyak Ansari S/o Saukat Ansari Resident of Vill- Khurmabad, P.S.-
Chenari, Distt- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 15-01-2026 Heard the learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sasaram(M) P.S. Case No. 218 of 2017, F.I.R dated 27.02.2017 registered for the offences punishable under Sections 3, 4 of Explosive Substance Act, under Sections 4, 40 of Bihar Mines and Minerals Act and under Sections 33, 41, 42 of Indian Forest Act.

3. According to prosecution case, on the date and time of occurrence, the informant allegedly recovered a huge quantity of explosives along with forest and mining-related articles. It is further alleged that one truck, one tractor and two motorcycles were seized from the spot, and one person was arrested during the operation. On the basis of the said recovery, the present case was registered, for which a First Information Report was lodged.

4. Learned counsel for the petitioner submits that



merely because the motorcycle, which is said to have been missing, for which the petitioner had already registered a case of theft, has been found at the place of incidence as per the seizure list, which forms part of the instant F.I.R. It is the case of the petitioner that the petitioner after lodging of F.I.R with regard to the theft of his motorcycle, for the first time in the year 2025 was informed by the Police that his motorcycle has been found at the place of seizure, for which the instant F.I.R is said to have been lodged. It is further submitted that petitioner has clean incident.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Be that as it may, since the cause of action for preferring the anticipatory bail application to this petitioner arose in the year 2025, when the petitioner was informed regarding the recovery of motorcycle at the place of incidence, for which Sasaram(M) P.S. Case No. 218 of 2017 is registered, whereas, this petitioner had already made intimation with regard to theft of his motorcycle, got a case registered with Chenari Police Station, prior to the institution of the case in question, in which the motorcycle has been found to be implicated. The petitioner undertakes to produce the F.I.R, said to have been registered with respect to theft at the time of furnishing of the bail bond. Accordingly, this Court is inclined to grant the



privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram(M) P.S. Case No. 218 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any



criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(v) the petitioner(s) shall produce the copy of F.I.R, registered by him for theft of his motorcycle, prior to registration of Sasaram(M) P.S. Case No. 218 of 2017, failure to do the same, the bail bond shall not be accepted.

(Ajit Kumar, J)

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