

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Anticipatory Bail Petition No. 1140/2026
(Arising out of **Barari P.S. Case No. 86/2026**)
U/s 303 (2), 317 (2), 318 (4), 3 (5) BNS.

1. Vishwakarma Singh, age 51 years, S/o Late Shyam Sundar Singh
2. Sagar Kumar, age 21 years, S/o Vishwkarama Singh **Petitioners**
Versus
The State of Bihar **Opp. Party**

For the Petitioner/s : Mr. Vijay Kumar, Ld. Advocate.
For the State : Mr. Abhay Kumar Singh, Ld. A.P.P.

Date of order	Order with signature of the court
1	2
23-06-2026	This is a petition filed on behalf of the above named accused-petitioners for grant of anticipatory bail who apprehension their arrest in connection with Barari P.S. Case No. 86/2026 for offences punishable U/s 303 (2), 317 (2), 318 (4), 3 (5) BNS. On behalf of the petitioners a certificate has been given in bail petition that earlier no anticipatory or regular bail petition has been filed on their behalf either before the Court of the Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. In para-3 of bail petition, accused-petitioners have given certificate that they have no criminal antecedents. Prosecution case as per FIR of informant Sunil Kumar, ASI Vikramshila Setu T.O.P in-charge, in brief, is that on 18.04.2026 during the course of checking, one overloaded with Gitti Truck bearing Reg. No. BR 10GB 4322 was stopped for checking. During checking, on demand no any valid paper has been produced by the driver of said truck and said truck was seized by Mineral Department. For the purpose of safety of said truck, the Battery of said vehicle was took out by the police and put it in on safe place and police has taken the key of said vehicle. Thereafter, on 18.04.2026 in the night, he was informed by his police personnel that the seized vehicle had been taken away by unknown persons. On information, he inspected CCTV footage of that place and found that the seized truck had been taken away by unknown persons towards Bhagalpur Zeromile at around 01:40 a.m. on 19.04.2026. Thereafter, during the course of search, on 19.04.2026 at about 14:00 hours, he alongwith his police personnel reached at the house of driver namely Gulshan Kumar and on his indication, the said truck was recovered from Ghatkureba, Pathargam, Jharkhand in abandoned condition. On inquiry by nearby people, no one had told anything about recovered truck and said truck was there on 19.04.2026 at about 05:00 hours. Thereafter, said truck was again seized. Thereafter, Gulshan Kumar told that he alongwith other co-accused persons have taken away the said truck and the loaded Gitti of said truck was damped near Jichho Tol Plaza. Hence, this FIR is lodged. The learned counsel for the petitioners submitted that the petitioners are innocent and have committed no offence and have falsely been implicated in this case. It has further been submitted that petitioner No. 1 namely Vishwakarma Singh is an owner of seized Hyva truck vide its registration No. BR 10GB 4322 and petitioner No. 2 is the son of him and he is the handler of seized Hyva and seized Hyva

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Contd...P/2 23-06-2026	truck driver namely Gulsan Kumar is granted bail by the Ld. Court of CJM. Further, submitted that while the truth is that the police told the driver to take the Hyva truck and go the petitioners has proof of this and alleged sections are not made out against the accused-petitioners. On such basis, it has been prayed that petitioners be enlarged on anticipatory bail. On the other hand, learned Additional Public Prosecutor for the State opposed the prayer for anticipatory bail of the petitioners. Heard both the parties. Perused the case record as well as case diary and on perusal the same it transpires that there is allegations against these accused-petitioners that he alongwith other co-accused persons they have taken away the seized overloaded truck bearing No. BR 10GB 4322 and the loaded Gitti of said truck was damped near Jichho Tol Plaza. Further, police has not added the section regarding Mines and Mineral Act in the FIR while police has stated that the said truck was overloaded with Gitti and on demand no any valid paper was shown by accused to the police. Further, it is admitted fact in the FIR that the key of said truck was taken by police after seized the said truck and later on police has stated that some unknown persons have taken away the seized truck, which is create doubt. The Ld. Counsel for the petitioners have submitted a Pen Drive and on perusal the same it appears that police has stated to accused-persons that he has taken the key of said truck and to deflate the air from tire of said truck and conversations between them are also available in Pen Drive and petitioner No. 1 is the owner of said truck. Further, all witnesses are police personnel. Criminal antecedents of these accused-petitioners are not mentioned the case diary while Ld. Counsel for the petitioners have submitted that they have no criminal antecedents. In the above said facts and circumstances, the prayer of the anticipatory bail of the petitioners is allowed and directed to release on anticipatory bail within 30 days of this order after filing of bail bond of Rs. 10,000/- each with two sureties of like amount each to the satisfaction of learned Trial Court with condition laid down U/S 482 (2) BNSS with conditions. Sd/- Additional Sessions Judge-II Bhagalpur <table><tr><td>Date of Judgment/Order</td><td>23.06.2026</td></tr><tr><td>Date of Reserving Judgment/ Order</td><td>N/A</td></tr><tr><td>Uploading Date</td><td>02.07.2026</td></tr><tr><td>Uploaded By</td><td>Rohit Kumar, Steno</td></tr></table>	Date of Judgment/Order	23.06.2026	Date of Reserving Judgment/ Order	N/A	Uploading Date	02.07.2026	Uploaded By	Rohit Kumar, Steno
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