

In the Court of Additional Sessions Judge-II, Gaya

Anticipatory Bail Petition No. 210 of 2026

[Arising out of Buniyadganj P.S. Case No. 264 of 2025]

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Sundar Kumar son of Ajay Singh,

R/o.Village- Rupaspur, P.S. Buniyadganj, Distt.-Gaya.

----- Petitioner

VERSUS

The State of Bihar

-----Opposite Party

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Present- Nalin Kumar Pandey

17.03.2026

1. This anticipatory bail application has been filed on behalf of above named accused petitioner who is apprehending his arrest in connection with Buniyadganj P.S. Case No. 264 of 2025 registered for the offences punishable under Section 303(2), 317(2), 111, 132, 352/ 3(5) of BNS.

2. Sri Subodh Kumar, the learned advocate has represented the accused petitioner. The prosecution is represented by the learned Additional Public Prosecutor.

3. The case of prosecution based on the written report of the informant, in brief is that, on 20.08.2025 at around 09:00 A.M, during patrolling duty when he was moving towards Kukra turn, saw a red coloured tractor loaded with sand coming from Alipur side. Seeing the police vehicle, driver of the tractor turned around the tractor and speeded up towards Alipur. When they tried to chase and apprehend the tractor, the driver started running away on foot and managed to escape by taking advantage of the streets and neighborhoods. It is further alleged that, in the meanwhile 11 accused persons named in the F.I.R and 5 to 7 unknown persons reached at Buniyadganj police station and forcefully tried to take the possession of alleged seized red coloured tractor Mahindra bearing Model 265. At the same time, seeing arriving of police, all accused persons ran away after abusing them. No one produced any valid document of transportation of sand of recovered sand loaded trolley with tractor. Accordingly, the tractor was kept in the premises of police station under police custody after preparing the seizure list.

4. The Ld. Counsel for the petitioner submitted that the petitioner is quite innocent and working as a Mason. The petitioner was not involved in the alleged crime. The entire allegation levelled against the petitioner is false and baseless. He further submitted that enough opportunity has been given to the prosecution to

produce the case diary but till date the case diary has not been filed. Ld. Counsel also submitted that anticipatory bail of other co-accused has been granted by this Court. On these grounds a prayer has been made for grant of anticipatory bail to the accused petitioner.

5. On the other hand, learned A.P.P. opposed the prayer for bail submitting that the bail of only those co-accused granted having devoid of any criminal antecedents.

6. Heard the respective parties and perused the case record. From perusal of the case record, it appears that petitioner is named in F.I.R. at serial no.5 and there is direct allegation against petitioner is of making an attempt to snatch loaded tractor with illegal mining of sand from the police station. There is not any fact on record which explain how the petitioner was working as Mason. Although there is no criminal antecedent claimed by the petitioner in his bail petition yet in view of direct and daring offence of snatching tractor from the premises of police station, this Court found not fit to grant the anticipatory bail to the petitioner at this stage.

7. Considering the above facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the accused petitioner, at this stage.

This anticipatory bail application is hereby **rejected**.

Sd-
(Nalin Kumar Pandey)
Addl. Sessions Judge-II, Gaya
17.03.2026