

In the Court of Additional Sessions Judge-1st, Nawada.

Anticipatory Bail Petition No.772/2026

Arising out of Hisua P.S Case No.- 371/2025

Sharwan Kumar Petitioner

Versus

State of Bihar Opp. Party

Ld. Counsel for the petitioner Sri Naresh Prasad Singh

Ld. Counsel for the State Sri Manoj Kumar Singh-

09.07.2026

This anticipatory bail petition has been filed on behalf of petitioner **Sharwan Kumar** who is apprehending his arrest in connection with **Hisua P.S Case No.- 371/2025** registered U/Ss. 305(e)/317(2)/3(5) B.N.S. Copy of this A.B.P. has already been served to the Ld. P.P.

Prosecution story in short is that informant being S.I. of Hisua P.S. got secret information on 30.05.2025 at about 07:30 A.M. that three tractors loaded with illegal mining of sand were coming towards Bhadseni Gate, Pahadi Baba. Informant along with police personnel when reach near the gate, one person sitting on motorcycle having registration no.- JH02Z1661 was seen, informing to someone regarding arrival of police personnel on mobile. On chase, he fled away leaving his motorcycle. After sometimes, three tractors, all loaded with illegal mining of sand were seen coming from Latawar side. On chase, one tractor driver manage to escape along with his tractor while driver of two tractors managed to escape leaving their tractors. Police seized these two tractors each having 100 cft. illegal sand loaded on it.

Ld. Counsel for the petitioner submits that petitioner is innocent and has not committed any offence as alleged. He has been falsely implicated in the case. Petitioner has no any criminal antecedent.

Ld. P.P. opposed the prayer of the petitioner for anticipatory bail.

Heard both sides and perused the case record. Petitioner is not named in F.I.R. He has filed this petition claiming himself as earstwhile owner of seized motorcycle and submitted that he had earlier sold the same. Case diary as called for has not been received. There is noting on record of trial court to show that petitioner is owner of seized motorcycle neither any paper relating to the ownership of seized motorcycle is filed on his behalf. So, there is nothing on record to show that petitioner has apprehension of his arrest.

In view of the aforesaid facts and circumstances his prayer for anticipatory bail stands dismissed as not maintainable.

(Dictated)

Addl. Sessions Judge-1st,
Nawada