

In the Court of Addl. Sessions Judge-II Danapur.

(Present- Kshiprachala Anjalee, Additional Sessions Judge-II, Danapur.)

A.B.P. No. 763 of 2025.

(Arising out of Sigori P.S. Case No. 35 of 2025).

1. Mukesh Kumar, son of Kalatar Yadav, Resident of Village-Janpur, Police Station-Sigori, District-Patna.
2. Saleshe Kumar, son of Shyam Narayan Yadav, Resident of Village-Gowari, Police Station-Sigori, District-Patna. Petitioners.

Versus.

The State of Bihar.

Opp.Party.

Learned counsel for the petitioners :- Sri Ajay Kumar, (Advocate)

Learned counsel for the State :- Md. Safdar Heyat, (A.P.P.)

Order.

05-05-2025. This Anticipatory Bail petition has been filed on behalf of the above-named petitioners, who apprehend their arrest in connection with Sigori P.S. Case No. 35 of 2025 registered under sections 303(2) and 317(2) of the B.N.S., 2023 pending in the court of Sri Ranjeet Kumar Choudhary, JMFC, Danapur.

It is submitted on behalf of the petitioners that no any bail petition has been filed on behalf of the petitioners either for grant of regular or anticipatory bail before this learned court or before the Hon'ble High Court, Patna, and this is the first bail petition filed on behalf of the petitioners and there is no any other bail petition pending in any other court. It is further submitted that the Police seized the Tractor bearing Registration No. BR-01GN-4996 and was brought in Sigori Police Station, where said Tractor was lying. The petitioner Mukesh Kumar is the owner of the said Tractor and petitioner Saleshe Kumar is the driver of the Tractor in question. Further submitted that the allegation levelled against the petitioners is false, baseless and absurd. Nothing illegal has been recovered from the person or from the possession of the petitioners. It is further submitted that the petitioner Mukesh Kumar has deposited the loss amount to the Mining department for which receipt is annexed with the bail petition. The petitioners have clean antecedents. The petitioners are in no way connected with this case and they are ready to abide by any condition imposed by this court and are ready to give sufficient sureties to the satisfaction of the learned court and there is no chance of their absconding. Hence, they may be enlarged on anticipatory bail.

Learned Addl. P.P. though opposed the prayer for bail, but concedes that the petitioner Mukesh Kumar has deposited the loss amount to the State Exchequer.

As per F.I.R., on 05-03-2025, the informant P.S.I. Baidyanath Prasad Yadav

along with other Police official were in evening Patrolling. During course of Patrolling,

In the Court of Addl. Sessions Judge-II Danapur.

(Present- Kshiprachala Anjalee, Additional Sessions Judge-II, Danapur.)

A.B.P. No. 763 of 2025.

(Arising out of Sigori P.S. Case No. 35 of 2025).

1. Mukesh Kumar, son of Kalatar Yadav, Resident of Village-Janpur, Police Station-Sigori, District-Patna.
2. Saleshe Kumar, son of Shyam Narayan Yadav, Resident of Village-Gowari, Police Station-Sigori, District-Patna. Petitioners.

Versus.

The State of Bihar.

Opp.Party.

Contd. 05-05-2025.

- 2 -

when he reached cross the river Punpun, near the Village Kanoura, saw that a Tractor was coming and when the informant tried to stop the Tractor, then the driver of the Tractor fled away on seeing the Police vehicle taking advantage of dark after standing the Tractor. On search, the informant was found that the said Tractor overload with sand. The informant found the Registration No. BR-01GN-4996 of the said Tractor and the Registration No. BR-01GN-5223 of the said Trailer. It appears that Tractor was illegally transported the yellow sand without having legal challan. Thereafter, the said Tractor was seized and seizure list was prepared accordingly. Thereafter, the seized Tractor was brought to the Police Station and kept at the Police Station. On the basis of the written report of the informant, the F.I.R. was lodged under sections 303(2) and 317(2) of the B.N.S., 2023.

Perused the record. It is submitted on behalf of the petitioners that Mukesh Kumar is the owner and Saleshe Kumar is the driver of the seized Tractor bearing Registration No. BR-01GN-4996 who has deposited the loss amount of Rs.1,10,650/- for the aforesaid Tractor, and the photo copy of receipt is annexed with the bail petition and on perusal of the same, it transpires that the petitioner has deposited the loss amount in question to the State Exchequer. Apart from that it is further submitted and claimed on behalf of the petitioners that they have clean antecedents.

Having considered aforesaid including the facts and circumstances of the case, let the above-named petitioners, be released on bail to the satisfaction of learned court concerned, within 30 days from date of receipt/production of the order, on furnishing bail

bonds of Rs. 10,000/- each with two sureties of like amount each subject to the conditions as laid down in Section 482 of the B.N.S.S. with further conditions that (1) One of the bailors must be from the resident of the native place of the accused-petitioners, (2) The

In the Court of Addl. Sessions Judge-II Danapur.

(Present- Kshiprachala Anjalee, Additional Sessions Judge-II, Danapur.)

A.B.P. No. 763 of 2025.

(Arising out of Sigori P.S. Case No. 35 of 2025).

1. Mukesh Kumar, son of Kalatar Yadav, Resident of Village-Janpur, Police Station-Sigori, District-Patna.
2. Saleshe Kumar, son of Shyam Narayan Yadav, Resident of Village-Gowari, Police Station-Sigori, District-Patna. Petitioners.

Versus.

The State of Bihar.

Opp.Party.

Contd. 05-05-2025.

- 3 -

petitioners shall file an affidavit that they will not commit similar offence in future. (3) If at any stage of the case it is revealed to the court concerned that the petitioners have concealed their criminal antecedents to obtain bail, their bail bonds shall be cancelled by the court concerned and (4) The petitioners shall fully cooperate in the investigation/trial of the case and shall be properly represented before the court concerned, failing which their bail bonds may be cancelled.

(Dictated)

(Kshiprachala Anjalee)
Addl. Sessions Judge-II, Danapur.

