

**IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-VII
SARAN AT CHAPRA.**

ABP No.- 885/2026 (Garkha P.S Case No- 820/2025)

Om Prakash NutPetitioner
Vs.
State of Bihar.....O.P

ORDER

01.04.2026 : Apprehending his arrest, the petitioner Om Prakash Nut has filed this Anticipatory Bail Petition (ABP No. 885/2026) arising out of Garkha P.S Case No- 820/2025 registered for the alleged offenses u/s 303(2), 317(5), BNS, in this court. A copy of this petition has duly been served to the Ld. APP.

The Ld. APP is present in the court.

The prosecution case in brief is that a formal FIR was registered on the basis of the written application of the informant Mahesh Rai in the Manjhi P.S. According to the FIR, on 30.10.2025, at approximately 10:00 PM, the informant and their family went to sleep after having dinner. At around 11:30 PM, the informant's son Vikku Kumar, looked through the house window and spotted unidentified thieves loading their black buffalo and its black calf, which were tied at the doorstep, onto a white pickup truck. As he raised an alarm (*halla*), the villagers and family members began chasing the pickup truck. Upon reaching the entrance of the paved road leading to Janki Nagar village on the Garkha-Chirant road, the driver and the unidentified thieves abandoned the vehicle a pickup with registration number BR11 GC-9986 along with the loaded buffalo and calf, and fled the scene. The local police station was informed of the incident. Upon receiving the information, the police arrived at the spot, and the aforementioned pickup, the black buffalo, and the black calf were handed over to them.

The Ld. Counsel for the petitioner has submitted that earlier no BP or ABP has ever been filed either before this court or any other court. That, the petitioner has clean antecedent. That, the petitioner Om Prakash Nut purchased the pick-up van from Kopa. That, the petitioner has no driver of the vehicle and no conserved with theft animals and having crime antecedent. That, the petitioner is ready to furnish bail bond to the satisfaction of this Ld. Court and hence the prayer for the anticipatory bail.

The Ld. APP has opposed the prayer for the anticipatory bail.

Heard the submissions by both the parties and perused the case record. It appears that this FIR was lodged by the informant regarding the alleged incident in which the allegation against unknown individuals is that they stole a buffalo and its calf and fled using a pickup truck (Reg. No. BR11 GC 9986). The petitioner is not named in the FIR. As per paragraph 25 of the Case Diary (CD), the petitioner's name has surfaced solely based on the confessional statement of an accused, Ricky Kumar, in a different matter,

specifically Garkha P.S. Case No. 905/25. According to the statements given by the witnesses in paragraphs 4 and 5 of the Case Diary (CD), there is no direct allegation of buffalo theft against the petitioner. There is no criminal antecedents of the petitioner are available in the CD yet. The case is currently under investigation.

So, having considered the material facts and circumstances of the case, nature of allegations mentioned above, this court is inclined towards allowing the petitioner to get the benefits of anticipatory bail. Accordingly, in the event of his arrest or surrender within one month from the date of receipt of this order, he shall be released on bail on furnishing the bail bond of Rs. 10,000/- (ten thousand) with two sureties each of the like amount out of which one shall be the blood/close relative of the petitioner and the petitioner will co-operate in the investigation.

(Dictated)

DASJ-VII
Saran at Chapra

Copy of the order forwarded to Sri Anup Rawat,
JMFC, Saran at Chapra.

DASJ-VII
Saran at Chapra