



ITEM NO.3

COURT NO.7

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal
(CrI.) No.6230/2026

[Arising out of impugned final judgment and order dated 21-01-2026 in CRM No. 78114/2025 passed by the High Court of Judicature at Patna]

MD. MUSTAQUE

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

FOR ADMISSION

IA No. 106368/2026 - EXEMPTION FROM FILING O.T.

Date : 15-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :Mr. Praveen Kumar, Adv.
Mr. Smarhar Singh, AOR
Mr. Sameer Rai, Adv.

For Respondent(s) :Mr. Anshul Narayan, Addl. Standing
Counsel, Adv.
Mr. Anshuman Harsh, Adv.
Mr. Prem Prakash, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. The petitioner has been denied regular bail by the High Court in connection with Sonapur Police Station Case No. 609 of 2025 registered for the offence punishable under Sections 303(2) and 111(2) (b) of the Bharatiya Nyaya Sanhita, 2023, respectively (for short, "the BNS, 2023").

2. It is the case of the prosecution that the two tractors owned by the first informant were stolen by the petitioner.

3. We take notice of the following aspects:-

(i) the petitioner is in judicial custody as an undertrial prisoner since 23.6.2025

(ii) the investigation is over and charge sheet has been filed. Till this date, even charge has not been framed.

(iii) Although the learned counsel for the State has highlighted criminal antecedents yet we are not impressed by such submission.

4. In the result, we order that the petitioner be released on bail subject to terms and conditions that the Trial Court may deem fit to impose.

5. We clarify that if the petitioner indulges in any other illegal activity, this bail shall stand automatically cancelled.

6. With the aforesaid, the Special Leave Petition stands disposed of.

7. Pending application(s), if any, stands disposed of.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)