

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26840 of 2024

Arising Out of PS. Case No.-286 Year-2022 Thana- SINGHWARA District- Darbhanga

Pappu Kumar Yadav, S/o Jivachh Yadav, R/o vill - Bokaha, P.S. - Saharghat,
Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner and Mr. Ajay
Kumar No.2, learned APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Singhwara P.S. Case No.286 of 2022 registered for the offences punishable under Section 379 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, the informant who is the Home Guard Jawan of Singhwara Police Station alleged that in the premises of police station the Motor Vehicle Inspector got parked Truck bearing Reg. No.HR63A-9600 loaded with sand after seizure on 26.12.2022 where the truck driver Ritik Kumar and owner Pappu Kumar Yadav (the petitioner) were present and on the next day on 27.05.2022 when the informant returned after attending natural call he did not find the truck in the

premises of the police station. The informant alleged that the driver and the owner have fled away with the truck.

4. Learned counsel for the petitioner submits that in identical circumstance, this Court has considered the prayer of the co-accused Ritik Kumar in Cr. Misc. No.65626 of 2023 and has been pleased to grant privilege of pre-arrest bail to the said petitioner vide order dated 18.10.2023. It is submitted that the case of the petitioner stands on similar footing with that of Ritik Kumar.

5. Learned A.P.P. for the State does not distinguish the case of the petitioner from the co-accused.

6. This Court has provided the reasoning and rationale for grant of pre-arrest bail to Ritik Kumar in paragraph '7' of its order dated 18.10.2023 passed in Cr.Misc. No.65626 of 2023.

7. For the same reasons and rationale, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Darbhanga in connection with Singhwara P.S. Case No. 286 of 2022, subject to the conditions as laid down under Section 438(2) of

the Cr.P.C.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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