

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40588 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- JAIPUR District- Banka

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Dabloo Yadav Son of Dilip Yadav @ Dilip Prasad Yadav, Resident of
Village- Beroji (Biharoji), P.S. Rikhiya, District- Deoghar (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Pandey, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-07-2024 Heard Mr. Dhananjay Pandey, learned counsel

appearing on behalf of the petitioner and Mr. Shailendra Kumar

Singh, learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with

Jaipur P.S. Case No. 81/2023, registered for the offence

punishable under Section 414 of the Indian Penal Code .

3. As per the allegation made in the FIR, the petitioner

along with other co-accused persons, after committing theft,

had managed to take away the stolen articles by a Tempo

bearing Registration No. JH-15 H 9810.

4. Learned counsel appearing on behalf of the

petitioner submitted that the name of the petitioner has surfaced

on the basis of confessional statement of one co-accused, Anil

Yadav, who was arrested on the spot and the alleged stolen



articles were recovered from his possession. Petitioner is innocent and he has no criminal antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, it appears from perusal of the allegation made in the FIR that after committing theft, some articles were taken away by the accused person in a Tempo bearing Registration No. JH-15 H 9810, I find it proper that the district court must call for the report from the District Transport Officer relating to owner of the vehicle (Tempo) bearing Registration No. JH-15 H 9810 and the concerned District Transport Officer is also directed to submit his report within a period of one week from the date of communication of the order and if it is found that the vehicle (Tempo) is not stolen one and it is registered in the name of any of the co-accused named in the FIR, the above named petitioner is directed to be released on pre-arrest bail in connection with Jaipur P.S. Case No.81 of 23, subject to conditions as laid down under Section 438(2) of the Cr.P.C. and further conditions as the learned district court deems fit and proper.

7. With the above observation/direction, the present



bail application stands disposed of.

(Purnendu Singh, J)

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