

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.15592 of 2025

Arising Out of PS. Case No.-103 Year-2024 Thana- BIHIA District- Bhojpur

1. Tunu Yadav Son of Late Sipahi Yadav Resident of Village- Shobhi Tola, P.S.- Shahpur, Distt.- Bhojpur
2. Sudeshwar Yadav Son of Baij Yadav Resident of Village- Shobhi Tola, P.S.- Shahpur, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate

For the Opposite Party/s : Ms. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bihiyan P.S. Case No. 103 of 2024, registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

3. As per allegation, upon secret information, the informant along with other police personnel reached at Nawadih Petrol Pump and saw a truck bearing Reg. No. BR01-GD-5501 loaded with sand and upon seeing the police force, the petitioners fled away.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated.

5. On the other hand, learned APP has submitted that the petitioner no. 1 is the owner of the truck.



6. Considering the fact that the petitioner no. 1 is the owner of the truck and has criminal antecedent of the same nature. I am not inclined to grant anticipatory bail to the petitioner no. 1 (Tunu Yadav) and accordingly, the same is rejected.

7. If the petitioner no. 1 (Tunu Yadav) surrenders in the court below and seeks regular bail, the same shall be considered and disposed of on the same day, on its own merit without being prejudiced by this order.

8. Considering the above-mentioned facts and circumstances especially the fact that the petitioner no. 2 (Sudeshwar Yadav) is a person of clean antecedent, let the petitioner no. 2 (Sudeshwar Yadav), in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 7th A.C.J.M., Bhojpur at Ara in connection with Bihiyan P.S. Case No. 103 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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