

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32457 of 2025

Arising Out of PS. Case No.-353 Year-2024 Thana- BAHERA District- Darbhanga

PRINCE KUMAR @ PRINCE YADAV S/O DINESH YADAV @ DINESH PRASAD YADAV Resident of Village- Katwasa, Police Station- Bahera, District- Darbhanga

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bahera P.S. Case No. 353 of 2024 registered for the offences punishable under Sections 331(4), 305(a) of B.N.S., 2023.

3. As per prosecution case, petitioner and others are said to have committed theft in the house of informant and took away valuable articles of the informant, as mentioned in the FIR.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He



further submits that petitioner and informant are co-villagers and the alleged occurrence took place on 07.09.2024 but the FIR was lodged on 10.09.2024 which casts doubt upon the authenticity of the FIR. He further submits that though the petitioner is named in the FIR but reason of delay in lodging the FIR has not been properly explained by the informant. He further submits that no incriminating article was recovered from the house of the petitioner. He further submits that reason behind false implication of the petitioner is that some material was found near the State Boring and key of the State Boring is kept with the present petitioner who used to operate it. He further submits that on account of animosity between petitioner and informant, the petitioner has been falsely implicated in this case. Petitioner bears one criminal antecedent in which he is on bail. He further submits that on similar and identical allegation, co-accused Rakesh Yadav @ Rakesh Kumar Yadav has already been granted privilege of anticipatory bail vide Cr. Misc. No. 29521 of 2025 and on the principle of parity, petitioner deserves bail.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the



case, co-accused has already been granted anticipatory bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additioal Chief Judicial Magistrate, Benipur, Darbhanga in connection with Bahera P.S. Case No. 353 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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