

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40829 of 2025**

Arising Out of PS. Case No.-660 Year-2023 Thana- AMARPUR District- Banka

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Kargil Yadav S/o- Fantush Yadav Resident of Mirjapur P.s- Barahat, Dist-  
Banka ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Ms. Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      15-07-2025                                      Heard Mr. Dhananjay Kumar Pandey, learned  
  
counsel for the petitioner and Ms. Sucheta Yadav, learned  
  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in  
connection with Amarpur P.S. Case No. 660 of 2023, F.I.R.  
dated 07.10.2023 for the offences punishable under Section 379  
of the Indian Penal Code.

3. According to prosecution case, on the basis of  
CCTV footage it was found that this petitioner along with other  
accused persons have stolen the tractor of the informant.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and he has falsely been implicated in the  
present case on the basis of CCTV footage. He further submits  
that it has come in the CCTV footage that the tractor in question  
has been taken away by Sonu Yadav and others and the



petitioner has been identified in the CCTV footage as son-in-law of Chakko Yadav. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the said Sonu Yadav @ Sonu Kumar Yadav has been granted anticipatory bail by this Court vide order dated 21.03.2024 passed in Cr. Misc. No. 6447 of 2024.

5. Llearned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances and the fact that on the basis of CCTV footage the petitioner has been made accused in this case and the similarly situated co-accused person has been granted anticipatory bail by this Court, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 660 of 2023, subject to the conditions as laid



down under Section 438(2) of the Code of Criminal Procedure /  
Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and  
with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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.

**(Rajesh Kumar Verma, J)**

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