

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39211 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- BAHADURPUR District- Darbhanga

1. Sunil Yadav @ Sunil Kumar Yadav son of Ramjee Yadav R/o Village-Bhairopatti, Mohi Pokhar, Ps -Bahadurpur Dist- Darbhanga
2. Rakesh Yadav @ Rakesh Kumar Yadav son of Sunil Yadav R/o Village-Bhairopatti, Mohi Pokhar, Ps -Bahadurpur Dist- Darbhanga
3. Babloo Kumar Yadav son of Yogendra yadav R/o Village- Bhairopatti, Mohi Pokhar, Ps -Bahadurpur Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Adv.
For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 01-07-2025 Heard Mr. Baidhyanath Prasad, learned counsel for the petitioners and Mr. Gulnar Begum, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bahadurpur P.S. Case No. 96 of 2025 instituted for the offence under Sections 316(2), 318(4), 303(2) of the B.N.S., 2023.

3. The case of the prosecution is that when the informant was constructing a building and building material was kept at the site, the petitioner namely, Babloo Kumar Yadav



who was entrusted as a guard and for that he was paid wages. It is alleged that on 24.01.2025 at about 05:00 PM, the informant went to the site to tally the stock of the building materials, then he found that, the building material worth Rs. 17-18 lakhs was missing. It is further alleged that Blacksmith Nasim told that care taker of the informant has stolen the construction material.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. He submits that in this case, the main thrust of allegation is against petitioner No. 3 namely, Babloo Kumar Yadav. It is also submitted that the occurrence is of 24.01.2025, whereas the FIR has been lodged on 21.02.2025 and there is no explanation of delay. He also submits that there is no recovery of any construction material from the possession of these petitioners. He further submits that this is a dispute between the employer and the employee regarding wages, for which, this case has been filed. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in



the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Bahadurpur P.S. Case No. 96 of 2025, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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