

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37545 of 2025**

Arising Out of PS. Case No.-268 Year-2024 Thana- DUMARIAGHAT District- East  
Champaran

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Anil Yadav @ Shyambabu Yadav S/O Late Yogendra Rai @ Yogi Rai  
Resident of Prasurampur, P.S.- Turkuliya, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Advocate  
For the Opposite Party/s : Mr. Anil Kumar, APP

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

2      14-07-2025                      Heard Mr. Kundan Rathore@ Kundan Kumar,  
  
learned counsel for the petitioner and Mr. Anil Kumar, learned  
  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dumariya ghat P.S. Case No. 268 of 2024, F.I.R. dated 02.11.2024 for the offences punishable under Section 310(2) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, five miscreants on the point of weapon looted the Bolero vehicle of the informant loaded with green chilli and mobile phone of informant as well as of pillion rider and fled away with the said vehicle.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. 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 petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Md. Harun Akhtar and recovery has been made from other accused persons and the petitioner has no concern at all with the alleged recovery of the articles or the accused persons. He further submits that the co-accused, namely, Amit Kumar Giri @ Amit Giri @ Amit Kumar has been granted anticipatory bail by this Court vide order dated 09.05.2025 passed in Cr. Misc. No. 31055 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, he is not named in the F.I.R and his name has been transpired on the basis of disclosure made by the co-accused person and nothing has been recovered from his conscious possession, 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, Motihari, East Champaran in connection with Dumariya ghat P.S. Case No. 268 of 2024, 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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