

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58955 of 2025

Arising Out of PS. Case No.-58 Year-2023 Thana- GWALPARA District- Madhepura

Banti Yadav @ Amlesh Kumar S/o Gayanand Yadav R/o Village- Karhara,
Tola- Gopali, P.S- Murliganj, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Binita Kumari

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-09-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 394 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that while he was going to school, he was
intercepted by two unknown accused, who looted his
motorcycle, mobile and purse.

4. The learned counsel for the petitioner submits that
the FIR has been instituted against unknown and the name of
the petitioner transpired in the confessional statement of
Raushan in police custody, which does not have any evidentiary



value. It is also reiterated and submitted that petitioner is a person with clean antecedent.

5. On query of the Court that as to what the petitioner does, the learned counsel for the petitioner is not in a position to reply the said submission, on which learned A.P.P. submits that petitioner is indulging in such offences. The learned A.P.P. also submits that off late such offences had increased as accused are snatching bikes, chain, mobile for the purposes of purchasing liquor and to sell the same at a higher rate. It is further submitted that investigation in the case is continuing and if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Mr. Suraj Kumar



Chaudhary, the learned Judicial Magistrate, 1st Class, Uda Kishanganj, Madhepura in connection with Gwalpara P. S. Case No.58 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father namely, Gayanand Yadav.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Further, it is made clear that in the event, if charge-sheet is filed connecting the petitioner with the offence apart from confession, in that event, the present anticipatory bail order shall lose its effect.

10. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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