

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62716 of 2025

Arising Out of PS. Case No.-480 Year-2024 Thana- RAJAOLI District- Nawada

1. Navlesh Yadav @ Navlesh Kumar @ Nawlesh Yadav son of Sahdev Yadav Village- Mohkama PS- Rajauli, Dist- Nawada
2. Shailesh Kumar @ Shailesh Yadav @ Shailesh @ Sandesh Yadav Son of Saryug Yadav Village- Mohkama PS- Rajauli, Dist- Nawada
3. Lalu Yadav @ Hemant Kumar Son of Lakshman Yadav Village- Mohkama PS- Rajauli, Dist- Nawada
4. Subodh Yadav son of Kuldip Yadav Village- Mohkama PS- Rajauli, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Adv.

For the Opposite Party/s : Ms. Renuka Ratnakar, APP (125)

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 15-11-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Rajauli P.S. Case No. 480 of 2024 instituted under Sections 317(5) of the BNS, 2023 lodged on 07.10.2024 by the informant, Raushan Kumar.

3. The prosecution story, in brief, is that on 06.10.2024 at about 09:10 pm, the informant got a secret information that in the village, Mohkama, all the nine FIR named accused persons including these four petitioners have stolen motorcycles by which they used to transport illicit country-made liquor and all the motorcycles were kept in front



of their houses. The informant, accordingly, raided the house of the aforesaid accused persons and found that stolen motorcycles were parked in front of their houses. Altogether nine motorcycles were seized by the informant and accordingly, the FIR.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and they have not committed any offence as alleged in the FIR. Learned counsel for the petitioners submits that altogether nine motorcycles are said to form part of the seizure list which are said to have been recovered from an open place and these petitioners have been implicated without any basis. It has further been submitted that till today, the owners of these motorcycles have also not been established and the petitioners claim that they are in no way connected with the seized motorcycles. Further, it has been submitted that petitioners no.1, 2 and 3 have got two criminal antecedent each while petitioner no.4 has got one under the Excise Act which are not akin to the allegations of the kind for which the petitioners are seeking anticipatory bail. Lastly, learned counsel for the petitioners undertakes that the petitioners will take care and ensure that they will not be indulged in the offence of the present nature and in case, they



are found indulged in similar kind of allegations, the police would be at liberty to investigate and on finding their complicity in any manner, they may proceed to take appropriate action including cancellation of their bail by filing appropriate affidavit.

5. Learned APP vehemently opposes the prayer of the petitioners for anticipatory bail stating that since they have got criminal antecedents and the recovery of nine motorcycles is said to have been made in front of their respective houses, hence their complicity cannot be ruled out.

6. Considering the nature of allegation levelled against these petitioners and the undertaking given by them that in case, they are found indulged in similar kind of allegations, the police would be at liberty to investigate and on finding their complicity in any manner, the police may proceed to take appropriate action including cancellation of their bail bond and taking into account that nothing incriminating has been recovered from their conscious possessions or from their premises, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, named above, be released on bail, in the event of their arrest or surrender before the



subordinate court within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each, in connection with aforesaid P.S. Case, to the satisfaction of learned ACJM-1, Nawada subject to the conditions as laid down under Section 482(2) of the BNSS as also subject to the following conditions.

(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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