

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65848 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- Jagdishpur District- West Champaran

Jaykishore Yadav S/O Shivjee Yadav Resident of B-63, Ground Floor,
Shivpuri, Badali, P.S- Badali North, Distt.- West Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K. Thakur, Advocate
		Mr. Aditya Kr. Pandey, Advocate
For the Opposite Party/s	:	Mr. Shaheena Parween, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Jagdishpur P.S. Case No. 48 of 2025 dated 17.03.2025,
instituted for the offence punishable under Sections 303(2) of
the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on
05.03.2025 at about 09:30 am, the informant visited the Airtel
Tower situated near the house of Jai Prakash Singh and found
that the battery inbuilt for functioning of the Tower had been
stolen.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that the FIR has been lodged against unknown persons. Petitioner is not named in the FIR. It is further submitted that the petitioner is the owner of truck bearing no. HR 67 06934 due to which he has been falsely made accused in this case. It is next submitted that the said truck was hired by the transport company and it had come to Bihar to deliver some goods and after unloading the same it was returning, then it was hired by one Kamlesh Kumar to deliver some articles and when the battery was being loaded, it was seized by the police. Learned counsel further submitted that the petitioner is resident of West Delhi. Petitioner had no knowledge about the stolen articles nor it was within the knowledge of the petitioner that driver of the said vehicle has loaded stolen articles on his truck. It is further submitted that it would appear from the statement of Golu Kumar that he had stolen the battery from the Airtel Tower and has sold the same to Shiv Scrap Shop from where the articles were loaded on the truck. Petitioner is nowhere in the picture. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Jagdishpur P.S. Case No. 48 of 2025, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, First Class, West Champaran, Bettiah subject to condition as laid down under Section 482(2) of the B.N.S.S as also to the following conditions:-

1. One of the bailors shall be local as the petitioner is resident of West Delhi.

(Khatim Reza, J)

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