

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1208 of 2025

Arising Out of PS. Case No.-114 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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Rudal Yadav @ Ghanshyam Yadav Son of Shivnath Yadav Resident of Vill-
Bhaisalotan, P.S.- Valmikinagar, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. THE STATE OF BIHAR PATNA BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Adv.
For the State : Mr. Sunil Kumar Pandey, APP.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 02-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 379, 406/34 of the Indian Penal Code.

3. The allegation made in the FIR is that the informant's Scorpio vehicle bearing Registration No. BR22PA3029 was taken by his driver on 12.02.2020 to the house of in-laws of Sanjay Kumar Verma and thereafter, no contact could be established with the driver. It is further alleged that on 19.02.2020, the informant received a phone call that his driver was at somewhere in Nepal and the driver then disclosed that co-accused Sanjay Kumar Verma had fled away with the said



Scorpio vehicle.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has transpired much later during the course of investigation in the statement of one Manager Dewan recorded in para 45 of the case diary. It is further submitted that the stolen vehicle was recovered from the possession of co-accused Salim Alam and no recovery has been made from the petitioner. In his confessional statement, co-accused Salim Alam stated that he had bought the vehicle in question by one of the co-accused, namely, Manager Dewan. It is further submitted that the petitioner had played a role of mediator stating that the Scorpio vehicle had to be sold as he was fully unaware of the fact that the alleged vehicle is a stolen property. It has specifically been mentioned in para 14 of the petition that no proceeding under Sections 82 & 83 of the Cr.P.C. has been initiated against the present petitioner and the delay which has occurred in filing of the present case is only due to the fact that his name appeared as an accused at a belated stage of investigation.

5. Learned APP for the State opposes the prayer for bail on the ground that the petitioner is an accused in two other cases. In response to the same, learned counsel for the



petitioner submits that the petitioner is on bail in both the cases.

6. Considering the facts and circumstances of the case and particularly that petitioner is not named in the FIR rather his name has transpired on the basis of the confessional statement, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned CJM, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 114 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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