

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24824 of 2026

Arising Out of PS. Case No.-358 Year-2025 Thana- DUMARIAGHAT District- East
Champaran

=====

Vivek Yadav S/o- Vinay Yadav R/v- Rampur Khajuriya Ps- Dumariyaghat
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
Ms. Harsha Shashwat
For the Opposite Party/s : Mr. Binod Kumar

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 30-04-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 303(2),
317(4), 317(5) of the BNS.

3. Petitioner is said to have involved in stealing
diesel from the truck.

4. It is submitted by learned counsel for the
petitioner that there is no recovery from the physical and
conscious possession of the petitioner. As a matter of fact, the
name of the petitioner has surfaced in the present case on the
basis of disclosure made by some local villagers. It is submitted
that the said recovery has been made near the house of the
petitioner and also near the highway. It is further submitted that



the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has two criminal antecedents. In response, it has been submitted that the petitioner is on bail in all the cases.

6. Taking into consideration the facts and circumstances and also considering that there is no recovery from the possession of the petitioner and there is no independent witness to the seizure list, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dumariyaghat P.S. Case No. 358 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further conditions:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) One of the bailors will be a family member/close



relative.

(iii) In case, the petitioner is found involved in similar nature of offence in future, the prosecution would be at liberty to take steps for cancellation of bail bonds of the petitioner.

(Soni Shrivastava, J)

Trivedi/-

U		T	
---	--	---	--

