

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26358 of 2026

Arising Out of PS. Case No.-49 Year-2025 Thana- Jagdishpur District- West Champaran

Jai Kishore Yadav S/o Sheoji Yadav Resident of Village - B3, Ground Floor,
Shivpuri Badali, P.S.- Badali North, District - West Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sitesh Kashyap, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

2 29-04-2026 Heard the learned counsel for the petitioner and
the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Jagdishpur P.S. Case No. 49 of 2025, for allegedly having committed offence under Section 303(2) of the BNS.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that on 08.03.2025 at 10:00 A.M., when the informant, who is an employee of the Indus Tower Company Limited arrived at the site, he came to know that unknown thieves have stolen away 24 pieces of Exide battery from the site situated at village Vishunpura, P.S.- Jagdishpur.

4. The learned counsel for the petitioner submits



that initially Jagdishpur P.S. Case No. 48 of 2025 was lodged under Section 303(2) of the B.N.S. against unknown persons with respect to the theft of battery of Airtel Tower and in this case, involvement of a truck bearing Registration No. HR 6706934 came and the said truck was seized, while some stolen batteries were being loaded on the same. The petitioner is the owner of the said truck and he resides at West Delhi and only on the basis of the fact that he is the owner of the truck, his name has transpired in the present cases. He further submits that the truck in question had come to Bihar to deliver some goods and after delivery of goods, when truck was returning it was hired for transportation of battery and when the battery was being loaded on the said truck, it was seized by the Police and the driver Kamlesh Kumar and others were arrested. The petitioner has been granted the privilege of anticipatory bail by a learned co-ordinate Bench of this Court vide order dated 17.09.2025 passed in Cr. Misc. No. 65848 of 2025 in connection with Jagdishpur P.S. Case No. 48 of 2025. He also submits that he is an accused in another case bearing Jagdishpur P.S. Case No. 54 of 2025, which also relates to the theft of battery.

5. The learned APP for the State vehemently opposes the prayer for bail of the petitioner.



6. Having heard the rival submissions and after going through the records, it appears that the name of the petitioner transpired during course of investigation since, he happens to be the owner of the truck, on which the seized battery was being loaded. His truck was hired by a transport company for delivery of some goods in the State of Bihar and while returning, the same was booked for loading some batteries. However, the truck was seized, while some batteries were being loaded on the said truck. Considering the above, let the petitioner, above named, in the event of arrest or surrender within a period of six 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 the learned J.M., 1st Class, Bettiah, West Champaran in connection with Jagdishpur P.S. Case No. 49 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be



delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

AjayMishra/-

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