

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26881 of 2026

Arising Out of PS. Case No.-385 Year-2022 Thana- NADI P.S. District- Patna

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Dipendra Kumar S/o Bijay Ram Resident of Village Sampatchak, PS -
Gopalpur, Dist. - Patna, 800007.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Nadi P.S. Case No. 385 of 2022 lodged on 08.10.2022, for
the offence punishable under Section 379 & 411 of the Indian
Penal Code.

3. As per the prosecution, FIR has been lodged against
three named accused persons other than the petitioner. It has
been alleged in the FIR that all the three accused persons have
committed theft of iron rods and loaded the same in a tempo,
but somehow, driver of the tempo was caught by the informant
and two other accused persons fled away.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that the petitioner is not named in the FIR and he has already sold his tempo in question to one Ram Lakhan Singh on 11.11.2015 and the sale letter has been annexed as Annexure-2. He submits that during investigation, the petitioner has become accused in this case by virtue of owner of the said tempo. He submits that the petitioner has one criminal antecedent, registered in the year 2007 in which he is on bail. Counsel further submits that the petitioner has nothing to do with the said commission of crime and his name has unnecessarily been inserted in this case.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that the name of the petitioner has come in this case during the investigation.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of J.M. 1st Class, Patna City, Patna, in connection with Nadi P.S. Case No. 385 of 2022, subject to the conditions



as laid down U/s 482(2) of the B.N.S.S., 2023 with further conditions:-

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

(ii) the petitioner shall appear before the Trial Court on each and every scheduled date, and failure to do so for two consecutive dates without any plausible reason/explanation shall be resulted into cancellation of his bail bonds by the Trial Court itself;

(Dr. Anshuman, J)

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