

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31811 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- SIDHWALIYA District- Gopalganj

Omprakash Yadav, S/o Mandev Yadav, Resident of Village - Mujawna PS -
Manjhagarh, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gautam Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Sidhwaliya P.S. Case No. 28 of 2026 dated 02.02.2026 instituted for the offence punishable under Sections 317(5), 3(5) of the *Bhartiya Nyaya Sanhita*, 2023.

3. The prosecution case, in short, is that the informant got information that the petitioner and one other accused person have kept the stolen diesel in NK Sweet House. Thereafter the informant along with police personnel reached the place of occurrence and recovered total 350 litres diesel kept in different drums from NK Sweet House, but the accused persons including the petitioner managed to escape away.

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 petitioner is the bonafide purchaser of the said diesel. The aforesaid diesel has been purchased from M/s Jai Ambey Petroleum, Indian Oil Company Ltd, Bakhrou, Jaddi Barauli, Gopalganj on 30.01.2026 and it is not the stolen diesel rather it was purchased for agriculture work. It is further submitted that the petitioner is doing agricultural work and has a Tractor, therefore, he has purchased diesel from the said petrol pump for which receipt has been issued and in support of this statement, the receipt of the same has been annexed as Annexure P/2. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory 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 Sidhwaliya P.S. Case No. 28 of 2026, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj subject to condition as laid down under



Section 482(2) of the B.N.S.S.

(Khatim Reza, J)

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