

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38508 of 2026**

Arising Out of PS. Case No.-119 Year-2024 Thana- Nagara District- Saran

Shishupal Yadav S/o Virendra Yadav @ Virendra Kumar yadav R/o vill-  
Sapahi Tadwa Barwa, P.S-Rajapakar, Dist- Kushinagar, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhijeet Abhigyan, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

2      17-06-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Nagra P.S. Case No. 119 of 2024 dated 16.10.2024 instituted for the offences punishable under Sections 303(2), 317(2) & 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the patrolling party intercepted a truck and the driver was apprehended. It was found that the driver and the owner have connived together to carry overloaded truck beyond what was permitted through the challan.

4. Learned counsel for the petitioner submits that the petitioner is the owner of the truck and had no concern with the overloaded truck as it was carried out by the driver, who was



also apprehended at the place of occurrence. It has further been submitted that the petitioner had a valid challan, which has been brought on record by way of Annexure-P/2, however it was the driver in connivance with other persons, who had committed the act of overloading and the petitioner was not involved in the same. It has lastly been submitted that the petitioner, however, is ready to deposit the fine which the department would levy. The petitioner has clean antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1<sup>st</sup>, Saran at Chapra in connection with Nagra P.S. Case No. 119 of 2024, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) If the petitioner deposits the fine and furnish the acknowledgment/receipt of the same during the furnishing of the bail bonds;

(ii) one of the bailors will be a



close relative of the petitioner and the other shall be a local resident;

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court and shall cooperate in the investigation;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner, however, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

**(Sourendra Pandey, J)**

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