

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41291 of 2026

Arising Out of PS. Case No.-90 Year-2026 Thana- VIJAYEPUR District- Gopalganj

Dharmendra Yadav S/o Timal Yadav Resident of Village- Koreya, P.S-
Vijayipur, District -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate
For the State : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Vijayipur P.S. Case No. 90 of 2026 dated
16.03.2026, registered for the offences punishable under
Sections 317(3), 338, 336 and 3(5) of B.N.S., 2023.

3. As per allegation, during checking of vehicles, the
police intercepted the Scorpio vehicle. However, no documents
were produced by the driver of the vehicle to the police and
after inquiry, police came to know that the vehicle belongs to a
person living in Odisha, who has lodged an FIR in regard to
theft of the vehicle in question. The driver of the vehicle was
apprehended and he confessed to the police that he was carrying
vehicle from one Amlesh Yadav at the direction of Guddu



Yadav, who had given him Rs. 10,000/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is no recovery of any incriminating material from the physical possession of the petitioner. The prosecution case against the petitioner is based only on so-called confessional statement of co-accused before the police which has no evidentiary value as per the Evidence Act. There is also no cogent and incriminating material on record against the petitioner. He also submits that co-accused/Amlash Yadav has already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 17.06.2026, passed in Cr. Misc. No. 39332 of 2026.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named,



to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight 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) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Vijayipur P.S. Case No. 90 of 2026, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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