

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44683 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- Chakki District- Buxar

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Lav Kumar @ Lav Kumar Yadav @ Ram Kumar Yadav S/O Rajkumar Yadav
Resident of village- Pranpur, PO- Shivapur Diyar, PS- Kotwali Balliya,
District- Balliya (U.P.)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 08-07-2026 Heard the learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chakki P.S. Case No.23 of 2026, F.I.R dated 27.03.2026 registered for the offences punishable under Sections 303(2) and 317(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 26.03.2026 at about 7:47 a.m., the informant received information from an associate that villagers had apprehended one of two persons allegedly cutting electric wires, while the other managed to flee. Upon reaching the place of occurrence, the informant found that wire from 16 L.T. poles had been stolen and 30 metres of wire



had been recovered from the apprehended person. The company allegedly suffered a loss of Rs.1,05,500. The apprehended person identified himself as Nand Kumar Yadav and disclosed the name of the absconding co-accused as Lav Kumar Yadav (the petitioner), following which the present FIR was lodged against both accused.

4. Learned counsel for the petitioner submits that specific allegation of theft, as per the F.I.R., is attributed against the co-accused, Nand Kumar Yadav, from whose possession an electric wire worth Rs.1,05,500/- is said to have been recovered for which seizure is said to have been prepared. It is the case of the petitioner that the name of the petitioner has transpired on the disclosure made by the said co-accused, namely, Nand Kumar Yadav, while, no incriminating material is said to have been recovered from the conscious / constructive possession of the petitioner. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the name of the petitioner has transpired on the disclosure made by the said co-accused, namely, Nand Kumar Yadav,



while, no incriminating material is said to have been recovered from the conscious / constructive possession of the petitioner and the petitioner has clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 C.J.M., Buxar, in connection with Chakki P.S. Case No.23 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

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

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;



(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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