

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41808 of 2026

Arising Out of PS. Case No.-42 Year-2026 Thana- DUMARIAGHAT District- East
Champaran

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Krishna Yadav @ Krishna Kumar, S/o Rameshwar Rai @ Rameshwar Yadav,
Resident of village- Dubauli, PS- Dumariyaghat, Distt- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Dumariyaghat P.S. Case No.42 of 2026 registered under Sections 303(2), 317(4), 317(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. Allegation against the petitioner is to involve in committing theft of diesel from a truck parked near to Tridev Weigh Bridge, Dubauli Dam, East Champaran.

4. It is submitted by learned counsel appearing for petitioner that the alleged stolen diesel was not recovered



from the conscious possession of this petitioner and moreover, his name transpired with the present crime on the basis of information supplied to informant by local Chaukidar and villagers. In this background, it is submitted that except suspicion, nothing surface against this petitioner and his implication with present occurrence was due to criminal antecedent as he found involved in two more criminal cases of similar nature, where he is on bail.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as the petitioner appears implicated with present allegation of theft *prima facie*, on the basis of suspicion, as discussed aforesaid, where nothing incriminating appears recovered from physical possession of the petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class,



Motihari, East Champaran in connection with Dumariyaghat
P.S. Case No.42 of 2026, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal
Procedure (in short 'CrPC')/under Section 482(2) of the
Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

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