

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62417 of 2024

Arising Out of PS. Case No.-326 Year-2024 Thana- NAGAR District- Vaishali

Md. Yeshan @ Md. Yehsan, Son of Md. Abdul Vahid @ Abdul Vahid,
Resident of Mohalla-Bagdulhan, Police Station- Hajipur Town in the district
of Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Aryamani Kumar, Advocate
		Mr. Ranjeet Kumar, Advocate
For the State	:	Mr. Ganesh Prasad Singh, APP
For the Informant	:	Mr. Shyameshwar Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-02-2026 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel appearing for the informant.

2. The accused/petitioner is named in the FIR and

apprehending his arrest in connection with Hajipur Town P.S.

Case No.326 of 2024 registered under Sections 379 and 420

of the Indian Penal Code.

3. As per FIR, the Bolero Jeep bearing Registration

No.BR-31PA-7513 belongs to informant was stolen, where

suspicion was raised against the petitioner, who was the

driver of the vehicle.

4. It is submitted by learned counsel appearing for



petitioner that in fact the vehicle in issue was given on the basis of hire agreement to the St. Paul School, Hajipur, where this petitioner was working as a driver. It is submitted that unfortunately the vehicle was stolen for which, this petitioner also visited to police station on very next day i.e. on 11.05.2024 as to lodge FIR but, his FIR was not lodged by concerned police station, whereafter this petitioner reported the occurrence to Sub Divisional Police Officer and also the Superintendent of Police, Vaishali even thereafter, no action was taken, which forced him to lodge a complaint case regarding the occurrence, which was registered before the learned C.J.M. as Complaint Case No.1190/2024. It is submitted that this act of petitioner suggest his *bona fide* approach towards the occurrence but, in the meantime, the owner of the vehicle to create unnecessary legal pressure, lodged FIR for the occurrence, making allegation against this petitioner. It is submitted that no such complaint was lodged by St. Paul School, Hajipur in the background of the specific allegation that the vehicle in issue was given to said school under hire agreement. It is submitted that admittedly this



petitioner was the employee of St. Paul School, where he was working since last 20 years and no such allegation was ever raised against him. The petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail.

6. Mr. Shyameshwar Kumar Singh, learned counsel appearing for the informant while opposing the prayer of anticipatory bail submitted that vehicle was given to this petitioner for its plying by the school authority but, on the last occasion, it was with petitioner and, therefore, he is responsible to disclose *qua* whereabouts of the vehicle. It is conceded that the informant is not the registered owner of the vehicle rather it was purchased on Stamp paper of Rs. 1,000/- from one Nageshwar Prasad Singh, son of Ram Jatan Singh, village-Sanchipatti, Dist.-Vaishali.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* the approach of petitioner appears *bona fide* towards the occurrence as far reporting to the concerned police station is concerned, coupled with the fact that petitioner was the driver of the school, where no



such complaint was ever raised by school authority and also by registered owner of vehicle against this petitioner, who is a man of clean antecedent, 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 Cheif Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No.326 of 2024, 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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