IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77275 of 2026

CNR No. BRHC011104662026

Arising Out of PS. Case No.-48 Year-2025 Thana- Jagdishpur District- West Champaran

==========

Guddu Prasad, S/o Harendra Prasad @ Harendra Prasad, R/o Village- Khajaori Ward No. 2, P.S. - Panapur, District - Saran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

==========

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 05-11-2026 Heard learned Advocate for the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Jagdishpur P.S. Case No. 48 of 2025 registered for the offence punishable under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. In course of inspection of Airtel Tower, the informant, who has been working as a Technician, discovered that 47 batteries essential for the tower's operations were missing. The informant alleges that some unknown thieves have stolen the battery, which led to lodging of the F.I.R. During the course of investigation, it has transpired that the stolen batteries were transported through a Tata Pick-up, bearing registration

WEB COPY

number BR06GG 0260 and since the petitioner is said to be the owner of the Tata Pick-up van, his name has been implicated in this case.

4. It is the specific contention of the learned Advocate for the petitioner that on the alleged date and time of occurrence, the petitioner had been living in Saudi Arabia for his livelihood and returned on 02.09.2025, much after the institution of the F.I.R. Since the Tata Pick-up van, in question, was being run by the driver Mithilesh Kumar on a monthly rent basis for maintenance and operation during his absence and the petitioner has nothing to do with the present occurrence. The two antecedents, as has been disclosed in paragraph no. 3 of the petitioner, is nothing but an outcome of the same incidents relating to theft of battery from different Airtel Towers. Prior to the said incidents, the petitioner was carrying fair antecedent, and now he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application.

6. Considering the rival submissions advanced by the learned advocate for the respective parties and taking note of the fact that the name of the petitioner has surfaced merely on

WEB COPY

account of use of his vehicle by carrying out the stolen battery, inasmuch as the plea of *alibi* taken by the petitioner also stands corroborated with the passport, the copy of which has been placed on record as Annexure P/2, as well as the undertaking of the petitioner that he will fully cooperate in the proceeding of the court, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bettiah, West Champaran in connection with Jagdishpur P.S. Case No. 48 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

uday/-

U		T	

WEB COPY