IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80725 of 2026

CNR No. BRHC011147312026

Arising Out of PS. Case No.-170 Year-2026 Thana- GUTHANI District- Siwan

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1. Devendra Yadav S/O Lalbahadur Yadav Resident of Village - Amarpur Belthra Tola, P.S- Darauli, Dist- Siwan .
2. Amrish Yadav @ Amresh Yadav S/O Lal Bahadur Yadav Resident of Village - Amarpur Belthra Tola, P.S- Darauli, Dist- Siwan .
3. Rabindra Yadav S/O Lalbahadur Yadav Resident of Village - Amarpur Belthra Tola, P.S- Darauli, Dist- Siwan .

... ... Petitioner/s

Versus

The State of Bihar Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 25-11-2026 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Guthani P.S. Case No. 170 of 2026, F.I.R dated 27.05.2026 registered for the offences punishable under Sections 303(2) and 331(4) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, that a written report was given by the informant to the S.H.O. of Guthani P.S. alleging there in that she had gone to her *maike* on the occasion marriage anniversary and on 25/05/2026, unknown thieves have

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committed theft in her house and took away all the jewelries, some house hold articles and cash of Rs.25,000/- from her house.

4. Learned counsel for the petitioners by referring to the search and seizure memo, submits that the articles recovered from petitioner Nos. 1 and 3 are articles of daily use and are generally found in every household. It is further submitted that the seized articles have not been identified by the informant as stolen articles allegedly recovered from their possession. Lastly, it is submitted that the petitioners have clean antecedents and undertake that they shall cooperate in the investigation and ensure their presence as and when required.

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

6. Considering the facts and circumstances and taking into account the fact that the articles allegedly recovered from petitioner Nos. 1 and 3 are articles of daily use, commonly found in every household, the same having not been identified by the informant as stolen articles, and also the clean antecedents of the petitioners and their undertaking to cooperate in the investigation and ensure their presence as and when required, this Court is inclined to grant the privilege of

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anticipatory bail to the petitioners.

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 J.M.I., Siwan in connection with aforementioned P.S. Case, 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

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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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