

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89495 of 2025**

Arising Out of PS. Case No.-346 Year-2025 Thana- KAUWAKOL District- Nawada

Bablu Yadav S/O Rambriksh Yadav Resident Of Village- Bindichak, P.S-  
Kawakole, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      28-01-2026                      Heard Mr. Sheo Kumar Prasad, learned counsel for  
the petitioner and Mr. Kumar Veerendra Narayan, learned APP  
for the State.

2. The petitioner is apprehending arrest in connection  
with Kawakole P.S. Case No. 346 of 2025 instituted under  
Sections 303(2), 317(2), 3(5) of the Bhartiya Nayay Sanhita,  
2023 lodged on 23.08.2025 by the informant, Onkar Kumar.

3. As per the prosecution story, the informant alleged  
that when he returned home, saw this petitioner standing there  
who left the place and later, Jitendra came outside and he too  
escaped. The informant had kept Rs.26000/- in his room which  
was seen by this petitioner and led to the theft. This followed the  
FIR.

4. Learned counsel for the petitioner submits that



admittedly, the allegation is of 20.08.2025 while FIR was lodged on 23.08.2025. Further, the Police alleged to have recovered Rs.3000/- from Jitendra Kumar who gave the name of the petitioner stating that he handed over the amount.

5. The submission is that it cannot be said that the said amount belongs to the informant. Last submission is that since allegation has been made against him, irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs.10,000/- to the informant through Demand Draft issued by the local State Bank of India branch/Any Nationalized Bank to be submitted before the concerned Court to be handed over to the informant after checking the credentials.

6. Learned APP opposes the prayer submitting that the petitioner being the servant escaped and the amount was missing, rightly, though belatedly FIR has been lodged.

7. Considering the submissions of the parties as also the materials on record, the petitioner has no criminal antecedent, an undertaking on instruction has been given that he shall be appearing diligently in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- to the informant through



Demand Draft issued by the local State Bank of India branch/Any Nationalized Bank to be submitted before the concerned Court to be handed over to the informant after checking the credentials.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Kawakole P.S. Case No. 346 of 2025 to the satisfaction of learned Judicial Magistrate-1st Class, Nawada subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner 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;

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

**(Rajiv Roy, J)**

Ravi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

