

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90648 of 2025

Arising Out of PS. Case No.-287 Year-2025 Thana- DUMARIAGHAT District- East
Champaran

=====

Vivek Yadav S/o Vinay yadav Resident of village - Rampur Khajuriya
Bishrampur,Dubauliya P.S-Dumariaghat, Dist- East Chmaparn
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the State : Mr. Sanjay Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-01-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Dumariaghat P.S. Case No. 287 of 2025 registered for the offence under Sections 303(2), 317(4), 317(5), 313 and 3(5) of the Bharatiya Nyaya Sanhita, lodged on 07.10.2025 by the informant, Rajiv Kumar.

3. As per the prosecution story, the informant alleged that on secret information about theft of diesel on National Highway-27, the house of the petitioner was raided. Ranjan Kumar Yadav and Arun Yadav were arrested and they gave the name of this petitioner as the person who escaped. There is recovery/seizure of 70 liter diesel, this Led to the F.I.R.

4. Learned counsel for the petitioner submits that it is a joint house, nothing recovered from his conscious possession, only because the two apprehended persons named him, implicated. Further, without accepting the allegation and/or the



outcome of the present petition, learned counsel for the petitioner submit that he intends to contribute Rs. 7,000/- to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer submitting that the two apprehended persons have named him.

6. Taking into account the submissions of the parties as also that recovery/seizure though is from a joint house, Ranjan Kumar Yadav and Arun Yadav were arrested, F.I.R. is there, the petitioner will be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 7,000/- to the Chief Minister's Relief Fund through Demand Draft issued by the local branch of State Bank of India/any Nationalized Bank and the receipt be submitted to the learned trial Court.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari, East Champaran, in connection with Dumariaghat P.S. Case No. 287 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) 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/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month 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 bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

