

In the Court of Addl. Sessions Judge, Manjhaul (Begusarai)

B.A No-666/2025

Khodawandpur P.S. Case No- 232/2023

In the matter of :

Dharmendra Kumar Yadav, aged about 30 yrs. s/o- Ramjit Yadav

R/o-vill- Chhatanwar, P.S.- Krishnabraham, District- Buxer

Vs.

State of Bihar

Ld. counsel for the petitioner: Sri Sonu Kumar, Id. Adv

Ld. counsel for the State: Sri Rakesh Kumar, Id. A.P.P.

Date of Order- 03.06.226

Present:-

**Sanjay Kumar Singh
Addl Sessions Judge,
Subdivisional Civil Court,
Manjhaul, Begusarai**

1. The petitioner namely Dharmendra Kumar Yadav seeks regular bail in connection with Khodawandpur P.S. Case No-232/2023 registered for the offences punishable under sections 379, 411 of I.P.C. The copy of same has been served to the Ld. APP for state. Ld. counsels for the parties have been exhaustively heard.

2. The brief case of the prosecution is in written report of one Bikesh Kumar who stated that he is working in Singh Construction Pvt. Ltd. Company. His Hywa Tractor no. BR01GB-6918 left from Shekhpura to Darbhanga on 03.08.2023 at about 05.30 PM after loading GSB, its driver was petitioner-Dharmendra Kumar. The Hywa halted at Sai Petrol Pump Daulatpur and on 04.08.2023 at about 11.00 hrs and the driver informed him that the vehicle got punctured. Then the informant directed the driver-petitioner to get the puncture repaired. But the petitioner-driver sold five tyres with rim, two batteries and approx-200 liters of diesel to one Raushan Kumar & Gulsan Kumar and parked the Hywa vehicle opposite of Daulatpur Cold Stores and fled away. In the next morning on 05.08.2023 when the informant called the driver-petitioner, his mobile was switched off and then the informant learnt from nearby people that the above-said articles of the vehicle were missing.

3. Learned counsel for the petitioner submitted that the petitioner is quite innocent and has committed no offence. The petitioner had earlier preferred an anticipatory bail application vide Cr. Misc. No-2652/2026 before the Hon'ble High Court, Patna which was rejected and except that no other bail application has been

filed on behalf of the petitioner. The petitioner has no any criminal antecedent. The entire allegations as alleged against the petitioner is maliciously, false and the petitioner has been falsely implicated in the above noted case. On the alleged date of occurrence, a close relative of the petitioner had expired and upon receiving such call, the petitioner informed the vehicle owner and left for native place. Hence, the petitioner has no connection with the alleged occurrence. The petitioner has neither participated in the alleged occurrence nor has any role in the commission of the offence. No recovery has been made from the petitioner and there is no CCTV footage or any material to connect the petitioner with the alleged theft. The petitioner is in custody since 15.04.2026. On these grounds the Ld. counsel prays that the petitioner be admitted to bail.

4. Learned counsel for the state opposed the prayer of bail to the petitioner.

5. Heard Ld. counsels and perused the case record. At the outset it be mentioned that the LCR was called for and the same have been annexed with the record for perusal. On perusal of FIR, case diary and other material available on judicial record this case was registered for the offences punishable under sections-379, 411 of I.P.C. against the petitioner and other accused. The petitioner is named in FIR and allegation against him is that the petitioner under conspiracy with other accused, sold five tyres with rim, two batteries, jack and approx 200 liters diesel from the Hywa of the informant. No incriminating article was recovered from the possession of petitioner. The petitioner is in judicial custody since 15.04.2026. Under the facts and circumstances of the case, I am inclined to grant privilege of bail to the petitioner on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Id. court concerned, subject to following conditions:-

(I) Bail bonds will be furnished after framing of charge;

(ii) The petitioner will cooperate in investigation and trial; and in case of any violation of terms and conditions, the prosecution may proceed for cancellation of bail bonds of the petitioner.

Dictated

**(Sanjay Kumar Singh)
Addl. S.J., Manjhaul**