

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68776 of 2023**

Arising Out of PS. Case No.-158 Year-2022 Thana- KARAKAT District- Rohtas

Bhola Yadav @ Bhola Singh Son Of Laxman Singh Village- Nasariganj  
Sikaria Ps- Karakat Dist- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. N.K. Agarwal, Sr. Advocate  |
|                          |   | Mr. Chhote Lal Mishra, Advocate |
| For the Opposite Party/s | : | Mr. Anuj Kumar Shrivastava, APP |

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

9      26-04-2024                      Heard learned senior counsel for the petitioner and  
  
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Karakat P.S. Case No. 158 of 2022 lodged on 30.08.2022 under  
Sections 307 and 379 of the Indian Penal Code and 27 of the  
Arms Act.

3. As per the prosecution case, the FIR has been  
lodged against two unknown accused persons against them it is  
alleged that they have snatched the jewellery bag of the  
informant when he was present in his shop.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He submits  
that the FIR has been lodged against two unknown accused  
persons and the petitioner is not named. His name has figured in  
this case by virtue of confessional statement made by co-



accused Viklesh Chaudhary @ Mithilesh Chaudhary. Counsel submits that the only thing against him is that his antecedent is not clean as there are in total 15 criminal cases pending against him, but he is on bail in all the 15 cases. Moreover, nothing incriminating has been recovered from the possession of the petitioner nor he has been put on the Test Identification Parade. Counsel further submits that the said Viklesh Chaudhary @ Mithilesh Chaudhary has been granted bail by a coordinate Bench of this Court vide order dated 25.07.2023 passed in Criminal Miscellaneous No. 43981 of 2023 while other co-accused has been granted bail by this Hon'ble Court vide order dated 24.06.2023 passed in Criminal Miscellaneous No. 36026 of 2023. Counsel further submits that charge has already been framed in this case and no purpose shall be served in keeping the petitioner into custody.

5. Learned counsel for the State opposes the prayer for bail and submits that at the time of considering the prayer for bail of the petitioner, this aspect must be taken into consideration that the antecedent of the petitioner is not clean.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/-



(Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of ACJM Bikramganj Rohtas , subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

7. The learned court below shall release the petitioner on bail only after framing of charge, if not framed as well as on



being satisfied that the petitioner is not absconding in any of the cases as mentioned in paragraph no.3 of the petition as under :-

- (i) Dawath P.S. Case No. 103 of 2020
- (ii) Dinara P.S. Case No. 251 of 2022
- (iii) Surajpura P.S. Case No. 158 of 2020
- (iv) Sasaram (T) P.S. Case No. 742 of 2020
- (v) Sasaram (T) P.S. Case NO. 748 of 2020
- (vi) Dinara P.S. Case No. 309 of 2020
- (vii) Navinagar P.S. Case No. 48 of 2020
- (viii) Daudnagar P.S. Case No. 393 of 2020
- (ix) Sahpur (Bhojpur) P.S. Case No. 207 of 2022
- (x) Shahpur (Bhojpur) P.S. Case No. 371 of 2021
- (xi) Bihta (Patna) P.S. Case No. 1250 of 2022
- (xii) Sanjhauli P.S. Case No. 147 of 2022
- (xiii) Naubatpur P.S. Case No. 567 of 2022
- (ix) Kachhawan P.S. Case No. 148 of 2022
- (xv) Gopalpur P.S. (Patna) Case No. 593 of 2022

**(Dr. Anshuman, J)**

Ashwini/-

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

