

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6116 of 2025

Arising Out of PS. Case No.-183 Year-2023 Thana- KUDRA District- Kaimur (Bhabua)

Subhash Yadav @ Subhash Kumar @ Subhash kumar @Subhash yadav Son of
Ramesh Singh Resident of Khodhaya, P.S. - Karahgar, District - Rohtas at
Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Suman Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Kudra P.S. Case No. 183 of 2023, registered for the offences under Section 392 of the Indian Penal Code and later on added Sections 395, 397, 401, 412 and 414 of the Indian Penal Code.

3. As per the prosecution case, four miscreants on two motorcycles intercepted the four wheeler of the informant on which the informant has been carrying the D.J. machines. Thereafter, the miscreants on gun point snatched the mobile phones of the informant and his associates and also took away the D.J. machines being carried by the informant. The name of the petitioner transpired during investigation for also being involved in the occurrence along with other co-accused persons.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from person or possession of this petitioner and he has been named in the case on the basis of the criminal antecedent. The petitioner was named in the case in the confessional statement of the co-accused Rohit Sharma and except for that there is no material against the petitioner to show his involvement. Though the petitioner is in custody since 22.08.2023 but till date no Test Identification Parade has been conducted. The petitioner is having antecedent of nine cases and he is on bail in all these cases. Learned counsel further submits that similarly situated co-accused Ashok Yadav has been granted bail by a Co-ordinate Bench of this Court vide order dated 02.04.2025 passed in Cr. Misc. No. 78071 of 2024. Charge sheet has been submitted against the petitioner.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that petitioner appears to a habitual offender and carries antecedent of nine cases of similar nature.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the period of custody and submission of charge sheet, the petitioner



is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned J.M.F.C. Mohania, Kaimur at Bhabhua/concerned court, in connection with Kudra P.S. Case No. 183 of 2023, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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