

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1769 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- DEV District- Aurangabad

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Sujeet Kumar Yadav @ Guddu Yadav, aged about 26 years, male, son of
Prabhu Yadav, R/O Village- Yadav Bigha, P.S- Simara, District- Aurangabad.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Deo PS
Case No.193 of 2024 dated 30.08.2024, instituted for the
offence punishable under Section 309(6) of the *Bhartiya Nyaya
Sanhita*, 2023.

3. The prosecution case, in brief, is that on the alleged
date of occurrence the informant was returning home from
Aurangabad. On the way, three unknown persons stopped his
motorcycle bearing registration no. JH 03 X 9200 and started
assaulting him and they managed to escape away after snatching
the motorcycle of the informant. A golden locket of the
informant was also snatched.

4. Learned counsel for the petitioner submits that the



petitioner is not named in the FIR. FIR has been lodged against three unknown accused persons. The petitioner has been made accused on the basis of confessional statement of co-accused Amresh Kumar from whose possession the looted motorcycle was recovered. Learned counsel further submits that though Amresh Kumar has been identified by the informant, but the petitioner has not been put on test identification parade till date. Nothing has been recovered from the conscious possession of the petitioner. Prayer of the petitioner has been rejected only because his past antecedents and confession of the co-accused. Lastly, it is submitted that the petitioner is in custody since 06.10.2024 and six cases are pending against him. Charge-sheet has been submitted in the case.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in Deo PS Case No.193 of 2024, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by



the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail (v) that the petitioner shall appear before the SHO of the PS of his local area every fortnightly to mark his attendance till the conclusion of the trial.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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