

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7696 of 2025

Arising Out of PS. Case No.-36 Year-2010 Thana- BELHAR District- Banka

Company Yadav @ Kampani Yadav Son of Late Nageshwar Yadav Resident
of Village- Kharandha, PS- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Advocate Mr. Pranav Kumar Jha, Advocate Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Belhar
P.S. Case No. 36 of 2010 instituted for the offence under
Sections 447, 341, 323, 307 & 34 of the Indian Penal Code.

3. Prosecution case in short is that on 25-02-2010 in
the evening the petitioner and other three co-accused persons
came at the house of the informant taking weapons in their
hands and started abusing without any cause. It is alleged that
petitioner has assaulted upon the head of the informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 16-12-2024. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. The present one is the case of misuse of privilege of grant of bail by the petitioner. Learned counsel submits that appearance of the accused persons was on 20-07-2010 and case was committed on 15-12-2010, thereafter charge was framed on 20-07-2011 against the petitioner. Learned counsel submits that on 01-07-2013 bail bonds of the petitioner was cancelled due to non-appearance of the petitioner and thereafter, warrant of arrest was issued on 17-09-2023 and Sections 82 & 83 of the Cr.P.C. was also issued against the petitioner and the petitioner was arrested on 16-12-2024. Learned counsel submits that petitioner is ready to undertake any condition/s imposed by this Court.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Belhar P.S.



Case No. 36 of 2010, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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