

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9257 of 2025

Arising Out of PS. Case No.-281 Year-2024 Thana- THALI District- Nawada

1. Sudhir Yadav, Son of Surendra Yadav @ Sundar @ Jagdish Yadav, resident of Village- Losidhana PS- Akbarpur Dist -Nawada
2. Santu Yadav, Son of Chalitra Yadav, resident of Village- Losidhana PS- Akbarpur Dist -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with Thali P.S. Case No. 281 of 2024 dated 07.12.2024 instituted for the offence punishable under Sections 112(2), 317(2), 303(2) of Bhartiya Nyaya Sanhita, 2023.

3. The allegation against the petitioners is that they were arrested with stolen motorcycles. A Honda SP 125 motorcycle bearing Registration No. BR01EU5912 was recovered from the possession of petitioner no. 1 and a red colour Glamour motorcycle having Chasis No. MBLJA06AMHGA00875 and Engine No. JA06EJHGA00520



without number was recovered from the possession of petitioner no. 2.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. Learned counsel for the petitioners further submits that from perusal of the F.I.R./seizure list, it is clear that raid was conducted in the morning at 4.05 am and in course of morning walk, the petitioners were arrested by police on mere suspicion. Nothing has been recovered from the possession of the petitioners. The petitioners have been made accused only on the basis of their past criminal antecedents. Lastly, it has been submitted that the petitioners are in custody since 08.12.2024. Petitioner no. 1 has five criminal cases and petitioner no. 2 has two criminal cases. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Nawada



in connection with Thali P.S. Case No. 281 of 2024, subject to the following conditions:

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.
2. One of the bailors will be their own blood relation, preferably father, mother, brother, sister and or their wives.
3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioners are made accused in any other case of similar nature after their 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.
4. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
5. The petitioners shall appear before the Police Station of their local area in the first week of each



month till framing of charge.

(Khatim Reza, J)

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