

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14433 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- BHAGWANPUR District- Vaishali

Upendra Kumar Son of Sri Krishna Yadav village- Khardih, Ps- Mohanpur,
Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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

ORAL ORDER

2 17-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 324 of 2024 instituted for the
offences under Sections 309(4) of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case, in short, is that four unknown
miscreants looted a truck which was loaded with TMT bars.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case during course of investigation. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted truck or the TMT bars. Learned counsel further submitted that the name of the petitioner was not disclosed by the co-accused persons. Learned counsel further submitted that looted truck has been recovered from the *kabaadi* shop of one Banti Kumar whereas TMT bars have been recovered from construction site of Haywood Company. Learned counsel, therefore, contended that since the petitioner is the employee of the said Company, he has falsely been implicated in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.11.2024 and has two criminal antecedents.

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

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Bhagwanpur P.S. Case No. 324 of 2024, 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)

Alok Verma/-

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