

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16933 of 2025

Arising Out of PS. Case No.-20 Year-2021 Thana- JAIPUR District- Banka

Jaikant Yadav S/O Devnarayan Yadav R/O Village- Babhankheta, P.S-
Hansdiha, District- Dumka (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The state of Bihar Advocate general Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-05-2025 Heard Mr. Brij Nandan Prasad, learned counsel for
the petitioner and Mr. Nagendra Prasad, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
21.08.2021 in connection with Jaipur P.S. Case No. 20 of 2021,
F.I.R. dated 24.02.2021 for the offences punishable under
Sections 394 and 411 of the Indian Penal Code.

3. According to prosecution case, three miscreants
persons stopped the informant while he was going on
motorcycle and robbed the informant on point of gun and one
miscreant person also assaulted the informant with the but of the
gun.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case. He further submits the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact, the petitioner is not named in the FIR, the name of the petitioner has been transpired during investigation on the basis of the confessional statement made by the co-accused person, namely, binod Kumar Yadav and except the aforesaid no other material has been come during the investigation which suggests the involvement of the petitioner in the present occurrence and till date no T.I.P. has been conducted by the prosecution. He further submits that similarly situated, co-accused, namely, Binod Kumar Yadav has been granted bail by this Court vide order dated 20.04.2024 passed in Cr. Misc. No. 61949 of 2021.

5. Vide order dated 19.03.2025 a report was called with regard to stage of the trial. Report of the learned Trial Court dated 26.04.2025 reveals that the charge has not been framed as yet against the petitioner and other co-accused persons.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court the trial is not likely to be concluded in the near future and the petitioner is in



custody since 21.08.2021.

7. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four cases other than the present one but fairly submits that the petitioner is on bail in the pending matter.

8. Considering the aforesaid facts, the name of the petitioner has been transpired on the basis of confessional statement made by the co-accused person and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Jaipur P.S. Case No. 20 of 2021, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed 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. 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.



iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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