

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22484 of 2025**

Arising Out of PS. Case No.-31 Year-2014 Thana- ROSHANGANJ District- Gaya

Badhan Yadav @ Bihari Yadav, S/o Late Yogi Yadav, Resident of Village-
Nawada, P.S.-Rausanganj, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 08-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Raushanganj (Bankebazar) P.S. Case No.31 of 2014 registered for the offences punishable under Sections 147, 148, 149, 120-B, 121-A, 122, 124-A, 307, 353 of the Indian Penal Code (in short 'IPC'), Sections 3, 4, 5 of the Explosive Substances Act, Sections 13, 16, 20 of the Unlawful Activities (Prevention) Act and Section 17 of the Criminal Law Amendment Act.

3. The accused/petitioner is named in the FIR and is in custody since 09.05.2024.

4. As per FIR, 20-30 unknown miscreants started



to flee after seeing police party, where upon search, one cane bomb was recovered from the place of gathering. It was alleged that miscreants were intended to act against the government and police.

5. It is submitted by learned counsel appearing for the petitioner that the petitioner was named with present occurrence on the basis of suspicion, as his name was supplied by local chowkidar. It is submitted that no overt act attributed against the petitioner and with very general and omnibus allegation, he was implicated with present case. It is pointed out that one of the reason for implication of petitioner with this case is his criminal antecedents, as he found involved in two more criminal cases of similar nature, where he is on bail. It is also pointed out that similarly situated co-accused persons like Govind Yadav @ Abhay Yadav @ Govind has been granted bail by the learned co-ordinate Benches of this Court through Cr. Misc. No.68708 of 2019 dated 15.11.2019 and Cr. Misc. No.42295 of 2015 dated 16.09.2015 respectively and, therefore, on the ground of parity, the petitioner also deserves bail. While concluding



argument, it is submitted that nothing incriminating has been recovered from the possession of petitioner during investigation and moreover investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of nature of accusation against petitioner, where *prima facie* he appears implicated with crime in question without any active participation, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 09.05.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Sherghati, Gaya (Bihar) in connection with Raushanganj (Bankebazar) P.S. Case No.31 of 2014, subject to the conditions as laid down



under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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