

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20611 of 2025

Arising Out of PS. Case No.-119 Year-2006 Thana- RAFIGANJ District- Aurangabad

Jitendra Yadav @ Jitu Yadav Son of Late Nanhak Yadav Village- Chandaul
PO- Sihuli PS- Rafiganj District -Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

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

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

ORAL ORDER

3 03-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Rafiganj P.S. Case No. 119 of 2006, instituted for the offences punishable under Sections 353, 323, 427, 337, 504, 147, 148 and 149 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioners along with other co-accused persons started throwing bricks upon the distributor Anil Jain, Magistrate – Ashok Kumar as also upon the police personnel.

4. Learned counsel for the petitioner submits that the present case is the misuse of privilege of bail. The petitioner was released on bail 05.12.2008 by the learned Magistrate,



Aurangabad. The petitioner's bail bond was cancelled on 19.02.2018 due to their non-appearance in Court. Learned counsel for the petitioner further submits that later on, non-bailable warrant was issued on 29.11.2023 and the process under Sections 82 and 83 of the Cr.P.C. was also issued and the petitioner was declared absconder on 20.05.2024. Learned counsel for the petitioner undertakes on behalf of the petitioner that the petitioner will appear before the learned Court below as and when required by the Court below. The petitioner is in custody since 03.01.2025 and has got no criminal antecedent.

5. Learned APP 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 and taking into account the period of custody undergone by the petitioner as also taking into account the undertaking given by learned counsel for 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rafiganj P.S. Case No. 119 of 2006, 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)

Rajorshi/-

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