

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16688 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- RAJNAGAR District- Madhubani

Subhash Yadav @ Subhash Kumar S/O Badri Narayan Yadav R/O Village-
Mohanpur, Ps- Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Adv.
For the Opposite Party/s : Mr.Rajesh Kumar, APP

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

ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Rajnagar P.S. Case No. 58 of 2024 (G.R. No. 405 of 2024)
instituted for the offences under Section 394 of the Indian Penal
Code and Section 25(1-B)(a), 26, 35 of the Arms Act.

3. As per prosecution case, three motorcycle-borne
accused persons stopped the motorcycle of the Informant, who
is an Operator of the CSP of SBI situated at Chichri Chawk and
snatched a black colored bag from him containing Rs.
5,56,000/- along with Aadhar Card, Driving License and
Insurance papers. It is also alleged that one of the co-accused
persons hit on the head of the Informant by butt of the pistol due



to which he sustained injuries on his head and blood started to ooze out. After snatching the bag, all the accused persons fled away from there.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty village politics. The petitioner is not named in the F.I.R. and his name has surfaced in this case in course of investigation on the basis of confessional statement of the co-accused Raja Sharma @ Raja Babu Sharma recorded before the police which has no evidentiary value in the eye of law and, thereafter, the petitioner was remanded in this case from Kaluahi P.S. Case No. 149 of 2024. No T.I.P. has been conducted in this case as yet. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has ten criminal antecedents and is languishing in judicial custody since 06.09.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Ajay Singh has been granted bail by



this Court vide order dated 09.01.2025 passed in Cr. Misc. No. 527 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail, ***after framing of charge if not already framed***, 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 Rajnagar P.S. Case No. 58 of 2024 (G.R. No. 405 of 2024), subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(Rudra Prakash Mishra, J)

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