

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19521 of 2025

Arising Out of PS. Case No.-93 Year-2024 Thana- SHANKARPUR District- Madhepura

Amlesh Kumar Yadav, Son of Sanju Yadav, Resident of village - Mourabari
Tola Mauj Jha, Ward No.- 03, P.S.- Shankarpur, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Shankarpur P.S. Case No. 93 of 2024 for the offences punishable under Sections 341, 323, 324, 307, 332, 333, 353, 224, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, coming to know about presence of the wanted accused persons of Shankarpur P.S. Case Nos.37/2024 and 113/2021 at an identified place, police reached there and apprehended them. The accused persons raised hue and cry and villagers assembled and attacked the police party. During investigation, the name of the petitioner transpired for also being involved in the occurrence.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no material to show the participation of the petitioner in the alleged occurrence and he has been made accused in this case due to his criminal antecedent. The petitioner is having antecedent of six cases and in three such cases, he was not named in the FIR. Moreover, there is no specific allegation of assault against the petitioner. The co-accused persons, against whom there is specific allegation, have been granted bail vide orders dated 17.01.2025 & 29.04.2025 passed in Cr. Misc. Nos. 4909/2025 & 31399/2025, respectively by different Coordinate Benches of this Court. The petitioner is in custody since 01.10.2024 and charge sheet has been submitted.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the fact that the petitioner was not initially named and further considering the vague nature of allegation and also considering the period of custody of the petitioner and submission of charge sheet, the petitioner is directed to 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 learned Additional Chief Judicial Magistrate-I, Madhepura, in connection with Shankarpur P.S. Case No. 93 of 2024, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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