

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22312 of 2025

Arising Out of PS. Case No.-61 Year-2015 Thana- ASANWA District- Siwan

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Umesh Yadav S/o Late Parma Yadav Resident of Village- Assaon, P.S.-
Assaon, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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

ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Assaon
P.S. Case No. 61 of 2015, instituted for the offences punishable
under Section 379 of the Indian Penal Code.

3. The prosecution case, in short, is that motorcycle of
the informant went missing from his house. It is further alleged
that the petitioner has several criminal antecedents and
informant suspects that the petitioner has committed the theft of
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner was not arrested on spot. Only on the basis of suspicion the petitioner has been made an accused in this case and there is no substantial evidence against the petitioner. It is further submitted that the stolen article has not been received from the possession of the petitioner. The petitioner is in custody since 25.01.2025 and has got seven criminal antecedents.

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, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail *after framing of charge, if not already framed* 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 Assaon P.S. Case No. 61 of 2015, 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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