

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21681 of 2025

Arising Out of PS. Case No.-674 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

=====

Jitendra Kumar @ Commando S/O Suresh Yadav @ Suresh Prasad Yadav
Resident of Village- Turki, Ward No.- 03, P.S- Simri Bakhtiyarpur, District-
Saharsa, PIN- 852127, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhakar Nath Rai, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP T

=====

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

ORAL ORDER

4 01-09-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Simri
Bakhtiyarpur P.S. Case No. 674 of 2023, instituted for the
offences punishable under Sections 279, 304(A), 337 and 338 of
the Indian Penal Code.

3. The prosecution case, in short, is that an unknown
vehicle which was driven rashly had hit the motorcycle of
informant's husband due to which he and one another person
sustained injuries.

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 present at the place of occurrence. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Chandan Sharma and the same has got no evidentiary value. It is next submitted that no specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. Learned counsel for the petitioner goes on to submit that husband of the informant has died due to fire arm injury. It is further submitted that specific allegation of firing is attributed against co-accused, namely, Chotu Kumar. The petitioner is in custody since 17.08.2024 and has got three criminal antecedents in which he is on bail.

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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Simri Bakhtiyarpur P.S. Case No. 674 of 2023, 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/-

U		T	
---	--	---	--

