

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24373 of 2025

Arising Out of PS. Case No.-252 Year-2024 Thana- PANDAUL District- Madhubani

Sekendar Kumar Yadav @ Sekendar Yadav S/o Kusheshwar Yadav @
Kusesar Yadab R/o village - Mohanpur(Paliwar) , P.S.- Rajnagar , District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Pandaul
P.S. Case No. 252 of 2024 dated 12.11.2024, instituted for the
offence punishable under Sections 309(6) of the Bhartiya Nyaya
Sanhita, 2023 and Section 27 Arms Act.

3. The prosecution case, in short, is that four miscreants
riding two motorcycles stopped the motorcycle of the informant
and snatched his shoulder bag containing Rs. 40,000/-. They
pushed down the informant and shot at him at his left thigh. The
miscreants took away motorcycle, shoulder bag and mobile phone
of the informant. The name of the petitioner transpired in the
investigation as one of the accused persons.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. Only on the basis of confessional statement of Gaurav Kumar, he has been made accused in this case. Nothing incriminating articles have been recovered from the possession of the petitioner. The petitioner has not been put on T.I.P and there is no material on record to connect the petitioner with the offence as alleged against him. Similarly situated co-accused, namely, Virendra Kumar Yadav has been granted bail *vide* order dated 06.03.2025 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 11154 of 2025. Lastly, it has been submitted that the petitioner is in custody since 16.11.2024 having one criminal case against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Mahdubani in connection with Pandaul P.S. Case No. 252 of 2024,



subject to the following conditions:-

- I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
- III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
- IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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