

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29903 of 2025

Arising Out of PS. Case No.-383 Year-2024 Thana- GHORASAHAN District- East
Champaran

Bhola Rai @ Bhola Yadav, S/o Punit Ray, R/o Village- Rajwada, P.S.-
Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Ghorasahan P.S. Case No. 383 of 2024 dated 27.09.2024
instituted for the offence punishable under Sections 310(4),
310(5), 112 of the Bhartiya Nyaya Sanhita, 2023 and Section
25(1-B)(a), 26, 35 of the Arms Act.

3. The prosecution case, in short, is that the petitioner,
who is alleged to be the gang leader, along with other accused
persons, on the alleged date of occurrence, was in preparation of
committing dacoity. On getting information, the police reached
there but the petitioner managed to escape away. The other
members of his gang were apprehended on the spot with illegal



weapon like pistol and cartridge.

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 further submits that the petitioner has not been apprehended on the spot. The apprehended persons disclosed the name of the petitioner. Nothing has been recovered either from the conscious possession of the petitioner or from his house. Learned counsel for the petitioner also submits that the co-accused person from whose possession a country made pistol was recovered, was granted bail by the learned court below itself. The another accused person, namely, Sachin Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 22.03.2025 passed in Criminal Miscellaneous No. 1872 of 2025. Lastly, it has been submitted that the petitioner is in custody since 18.01.2025 having thirteen criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State 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 S.D.J.M., Sikarhana at Dhaka, East Champaran in connection with Ghorasahan P.S. Case No. 383 of 2024, subject to the following conditions:

1. 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.
2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
3. 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.
4. 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.
5. The petitioner shall appear before the S.H.O. of



the Police Station of his local area along with a copy of this order in the first week of each month till the framing of charge in the case by the court below.

(Khatim Reza, J)

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