

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35404 of 2025

Arising Out of PS. Case No.-403 Year-2023 Thana- KALYANPUR District- East Champaran

Satendra Kumar Yadav @ Bulet Yadav @ Satendra Yadav, aged about 48 years (Male), son of Indradev Rai, R/O Village- Bakhari, Bairagi Tola @ Bavagi Tola, P.S.- Kalyanpur, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Krishna Kant Singh, Advocate

For the Opposite Party : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 08-12-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kalyanpur P.S. Case No. 403 of 2023 dated 13.11.2023 registered for the offence punishable under Section 394 of the Indian Penal Code.

3. As per the prosecution case, two unknown miscreants came ridding on the motorcycle and assaulted the informant with pistol and snatched mobile phone, laptop, documents of office, ATM, Ayushman Card, Aadhar Card, Pan Card and some cash. Further, the miscreants fired on the right leg of the informant, causing injury. Thereafter, the injured was taken to the hospital for treatment.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the alleged occurrence took place on 10.11.2023 at 4.10 P.M. and the F.I.R. has been lodged on 13.11.2023 and there is a delay of three days in lodging the F.I.R., and no explanation for such delay has been given by the prosecution. The petitioner is not named in the F.I.R. The petitioner has been remanded in the present case from another case and his confessional statement has been recorded before the police which has got no evidentiary value in the eyes of law. No looted article has been recovered from the conscious possession of the petitioner. It is further submitted that the other co-accused person, namely, Raj Kapoor @ Raj Kapoor Kushawaha @ Raj Kapoor has already been granted bail by a Bench of this Court in Cr. Misc. No. 20634 of 2025 vide order dated 05.05.2025. The petitioner has nine (09) criminal antecedents and out of which, in seven cases, he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 22.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, East Champaran, Motihari in connection with Kalyanpur P.S. Case No. 403/2023 with further conditions:-

- (I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.
- (II) If the petitioner is found involved in any other criminal case in future, his bail bond is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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