

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35517 of 2025

Arising Out of PS. Case No.-947 Year-2024 Thana- GAYA MUFASIL District- Gaya

Jitendra Yadav S/o Ram Vilash Yadav R/o Vill - Salempur, P.S - Muffasil, Dist
- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Birendra Kumar, Advocate Mr. Kumud Kishore, Advocate Mr. Atulesh Kumar, Advocate
For the State	:	Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Mufassil PS. Case No-947 of 2024, dated-24.10.2024, registered for the offences punishable under Sections 190, 191(2), 191(3), 109, 303(2), 317(2), 317(4), 317(5), 111, 125, 132, 121(1), 121(2) of the B.N.S., 2023 and 27 of the Arms Act.

3. As per allegation, on a secret information of extracting sand by the sand mafia, the police conducted raid at the bank of Falgu river and apprehended six persons on the spot with 21 tractors loaded with sand and one Hero Honda motorcycle.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is neither owner nor driver of any of the seized vehicle and not even any incriminating article has been recovered from his possession. He also submits that similarly situated co-accused Ramji Yadav has been enlarged on anticipatory bail by a co-ordinate bench of this Court vide order dated 22.05.2025 passed in Criminal Miscellaneous No. 33029 of 2025.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in four other cases.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his



furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Mufassil PS. Case No-947 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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