

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35646 of 2025

Arising Out of PS. Case No.-41 Year-2021 Thana- GOPALPUR District- Bhagalpur

Rahul Kumar Yadav @ Rahul Yadav S/o Kailash Yadav @ Faishan Yadav @
Kaisan Yadav R/o Village Lattra, P.S.- Gopalpur, District Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-06-2025 Heard Mr. Ranjan Kumar Jha, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Gopalpur P.S. Case No. 41 of 2021 for the offences punishable under Sections 392 of the Indian Penal Code lodged on 29.01.2021 by the informant, Chhotu Kumar Sharma.

3. As per the prosecution story, the informant alleged that he started on a truck loaded with red sand and when it reached near Dharhara graveyard, a motorcycle took over, parked the bike in front of it, dragged the driver outside, snatched the amount from his jacket and threatened of dire consequences. Accordingly, the FIR.

4. Earlier, the petition was rejected vide an order dated 13.11.2024 in Cr. Misc. No. 78446 of 2024. This is the



second attempt.

5. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession, till date no T.I. parade has been conducted and he is in custody since 21.06.2024. Earlier, the petition was rejected only because the petitioner has multiple criminal antecedents and if granted bail, he shall be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that as stated, he has number of criminal antecedents under his belt.

7. Taking into account the submission of the parties as also his period of custody and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate First Class, Nawgachhiya, Bhagalpur in connection with Gopalpur P.S. Case No. 41 of 2021 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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