

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44828 of 2025

Arising Out of PS. Case No.-24 Year-2024 Thana- KATORIYA District- Banka

Gautam Yadav @ Gaurav Yadav @ Gautam Kumar S/O Arun Yadav @ Police
Yadav R/O Village- Manikchak, Police Station- Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-09-2025 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 Katoriya P.S. Case No. 24 of 2024 dated 02.02.2024 registered for the offence punishable under Section 392 of the I.P.C.

3. As per the prosecution case, the informant, namely, Aman Pratap, who is posted as Assistant Accounts Manager on contract basis in Rural Works Department, Works Division, Banka, comes and goes daily for work while staying in his house situated at Deoghar. On 01.02.2024, after finishing his work of Banka Office, he was returning to Deoghar on his Motorcycle bearing Registration No. JH-10BR-7721 and at



about 6.30 P.M., when he reached near *Kaithakura Forest*, four unknown miscreants surrounded his motorcycle, in which three persons have covered their faces and one person is threatening him. It is further alleged that all the accused persons abused him and after showing weapon, they took his Bullet motorcycle, Samsung Mobile Phone, Wallet containing Rs. 2400/-, ATM Card of Canara Bank, Driving License, Aadhar Card and Pan Card.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Atish Kumar which has got no evidentiary value in the eye of law. The other co-accused person has already been granted bail by this court *vide* order dated 05.09.2024 passed in Cr. Misc. No. 57795/2024. The petitioner has nine antecedents and he is on bail in seven cases whereas he is acquitted in one case as stated in paragraph 3 of the bail petition. The petitioner is in custody since 07.04.2025.

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 Court concerned, Banka in connection with Katoriya P.S. Case No. 24 of 2024, with the condition:-

(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.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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