

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51304 of 2025

Arising Out of PS. Case No.-101 Year-2024 Thana- KALUAHI District- Madhubani

Chhotu Kumar Yadav S/o Dineshwar Yadav R/O Village- Kewalpatti, P.S.-
Rajnagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 26-09-2025 Heard the parties.

2. The petitioners are in judicial custody in connection with Kaluahi P.S. Case No. 101 of 2024 for the offences punishable under Sections 224, 341, 326, 332, 333, 353, 307 and 34 of the Indian Penal Code and sections 25(1-B)(a), 25(5), 26, 27 and 35 of the Arms Act, lodged on 08.06.2024 by the informant, Rahul Kumar.

3. As per the prosecution story, the informant alleged that he got the information that the accused persons have assembled to commit crime. They also got information that it includes Amar Kumar Yadav who few days ago was involved in a loot case. Accordingly, it moved to the place where they found the accused assembled and tried to escape and further when the police was able to intercept they resorted to firing. Counter firing also



took place in which both the police as also the accused got injuries. As the villagers started assembling, leaving their motorcycle behind, they managed to escape, this led to the F.I.R.

4. In this case, earlier Trial Court report was called for on the stage of the trial which is now available vide letter no. 2nd August, 2025 according to which, charge has been framed but the prosecution has failed to produce any witness.

5. Learned counsel for the petitioner submits that if granted relief, he shall be appearing in each and every date so that the trial is not hampered.

6. Learned APP though opposes the prayer concede that he is in custody since 11.06.2024.

7. Considering the submissions of the parties as also the fact that the petitioner is in custody since 11.06.2024 and the trial has still not started 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 Additional Sessions Judge III, Madhubani, in connection with Kaluahi P.S. Case No. 101 of 2024 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 a single date 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 till the conclusion of the trial to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(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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