

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49183 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- BHAGWANPUR District- Vaishali

Chhote Yadav @ Chhote Lal Yadav Son of Deonandan Yadav Resident of
village- Deepnagar, P.S.- Deepnagar, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 324 of 2024 instituted for the
offences under Section 309(4) of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case, in short, is that, four unknown
persons looted a truck which was loaded with TMT bars.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case during investigation. No incriminating
article has been recovered from the conscious possession of the



petitioner. Learned counsel further submitted that petitioner was found near a *kabadi* shop and from where some of the cuttings of the looted truck have been recovered. Learned counsel further submitted that petitioner never committed any loot nor he has any concern with the co-accused persons who committed loot. Learned counsel further submitted that petitioner has got no concern with the looted truck. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.11.2024 and has no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 30.06.2025 passed in Cr. Misc. No. 15784 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwanpur P.S. Case No. 324 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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