

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55473 of 2025

Arising Out of PS. Case No.-439 Year-2024 Thana- CHANDAUTI District- Gaya

Sudhir Yadav S/o Late Rameshwar Yadav Village- Navratanpur, PS-
Pratappur, Distt.- Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-08-2025 Heard the parties.

2. The petitioner is in custody in connection with Chandauti P.S. Case No. 439 of 2024 for the offence punishable under Sections 61(2) and 62 of the BNS and Sections 25 (1-b)a, 26 and 35 of the Arms Act lodged on 19.11.2024 by the informant, Ajay Kumar.

3. As per the prosecution story, the informant alleged that upon secret information about movement of the criminals on NH-83 Patna-Gaya Dobhi Road, a vehicle was intercepted. The accused persons apprehended and there is/are recovery of pistols/cartridges from them, petitioner being one of them. Upon inquiry, it was informed that they were going to kill one Photu Khan who recently was enlarged on bail. This led to the FIR.

4. Learned counsel for the petitioner submits that only



because of criminal antecedent, he has been implicated, nothing was recovered from his conscious possession and he is in custody since 20.11.2024. The last submission is that similar situate co-accused, Md. Talib Khan has been extended relief vide order dated 02.05.2025 in Cr. Misc. No. 25821 of 2025.

5. Let the same be kept on record.

6. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

7. Taking into account the submission of the parties as also his period of custody coupled with the fact that one of the co-accused has been granted relief, as stated above, 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 C.J.M, Gaya in connection with Chandauti P.S. Case No. 439 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 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 fortnight 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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