

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54987 of 2025

Arising Out of PS. Case No.-36 Year-2024 Thana- Madhusudanpur District- Bhagalpur

Pankaj Yadav S/o Late Raj Kishore Yadav R/o Village-Gaurachauki
Navtoliya, P.S- Kajraili, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 19-09-2025 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of regular bail, arises out of Madhusudanpur Police Station Case No. 36 of 2024, disclosing offences under Section 399 and 402 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of Arms Act.

3. As per the prosecution case, on 19.04.2024, the Police received secret information that 3-4 miscreants along with weapons, were sitting in a garden and were preparing to commit dacoity. Upon such information, Police proceeded towards the place of occurrence and upon seeing the Police party, the accused persons started fleeing away, however, one of them was apprehended and upon inquiry, the apprehended persons disclosed his name as Mithilesh Kumar. He also disclosed the name of the persons, who succeeded in fleeing



away including the petitioner. On search, several types of illegal weapons, arms and ammunition along with one red colour glamour motorcycle were recovered at the place of occurrence, however, the recovered motorcycle belongs to the petitioner. Learned counsel for the petitioner submits that petitioner is having no criminal antecedent and he has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused Mithilesh Kumar. The motorcycle belonging to the petitioner was borrowed by the co-accused Lokesh Tanti saying that his mother was seriously ill and he was to take her to hospital for treatment. The petitioner is in custody since 30.04.2025 and this Court vide order dated 08.08.2025, called for a report, regarding the present stage of trial. In pursuance of the same ADJ XIX, Bhagalpur submitted a report dated 28.08.2025, stating therein that charges have been framed on 23.08.2025 and out of the five prosecution witnesses, no witness has been examined, as yet.

4. Regards being had to the submissions made by the parties and taking into consideration the fact that petitioner is in custody since 30.04.2025, charges have been framed, petitioner is having no criminal antecedent and there is no likelihood that the petitioner will abscond or tamper with the evidence,



accordingly, I am inclined to grant regular bail to the petitioner.

5. This application is, accordingly, allowed.

6. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Madhusudanpur Police Station Case No. 36 of 2024.

7. This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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