

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53819 of 2025**

Arising Out of PS. Case No.-31 Year-2025 Thana- LAKHNAUR District- Madhubani

Rajiv Yadav @ Bilta @ Rajiv Kumar Yadav Son of Santosh Yadav Village-
Shivesingpur, (Saharwa Kachhua), PS- Lakhnaur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 54055 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- LAKHNAUR District- Madhubani

Ganesh Kumar Yadav @ Ganesh Yadav son of Shivnath Yadav Village-
Maibi, PS- Lakhnaur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 53819 of 2025)

For the Petitioner/s : Mr. Rohit Kumar, Advocate
: Mrs. Nitu Kumari, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

(In CRIMINAL MISCELLANEOUS No. 54055 of 2025)

For the Petitioner/s : Mr. Rohit Kumar, Advocate
: Mrs. Nitu Kumari, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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

ORAL ORDER

4 11-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Lakhnaur P.S. Case No. 31 of 2025, GR No. 741 of 2025
instituted for the offences under Sections 331(4), 305 of the



Bharatiya Nyaya Sanhita, 2023 and subsequently Section 310(2), 311 of the Bharatiya Nyaya Sanhita, 2023 was added.

3. Prosecution case, in short, is that the informant saw known miscreants fleeing from his house at night and was assaulted when he chased them. It is alleged that the miscreants broke the lock and took away jewellery and cash from him and his brother Sunil Mahto's house.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Petitioners are not named in the F.I.R. The name of the petitioners transpired in this case on the basis of confessional statement of the co-accused. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioners have no concern with the looted articles. It has been submitted on behalf of the petitioners that the petitioners are in custody since 21.05.2025. Petitioner namely, Rajiv Yadav, has one criminal antecedent whereas petitioner namely, Ganesh Yadav, has three criminal antecedents.

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

6. Considering the aforesaid facts and circumstances



of the case as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhnaur P.S. Case No. 31 of 2025, G.R. No. 741 of 2025, subject to the following conditions:

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

(II) The petitioners 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 petitioners.

(III) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail

(Rudra Prakash Mishra, J)

Alok Verma/-

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