

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56364 of 2025

Arising Out of PS. Case No.-144 Year-2015 Thana- RAJAON District- Banka

Rajesh Yadav S/O Suresh Yadav Resident of Village- Tatariya, P.S.- Amarpur,
Dist.- Banka

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash Dwivedi, Adv. Mr. Praveen Kumar, Adv. Mr. Raushan Kumar, Adv. Mr. Saurabh Raj, Adv.
For the Opposite Party/s :		Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 28-11-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Rajoun P.S. Case No. 144 of 2015, registered for the offences under Sections 392 of the Indian Penal Code, however, charge-sheet has been filed under Section 395 of the Indian Penal Code.

3. The allegation in the first information report is that the four miscreants intercepted the informant on way and snatched his bag containing Rs. 2,50,000/- on the point of pistol and fled away.

4. Learned counsel for the petitioner submits that the

first information report was lodged against the unknown and the name of the petitioner transpired subsequently in the confessional statement of the co-accused Mithun Tanti who has already been granted bail by a Co-ordinate Bench of this Court vide order dated 21.12.2020 passed in Cr. Misc. No. 33771 of 2020 (Annexure – P/2). The other co-accused persons have also been granted the privilege of bail by other Co-ordinate Benches. It has further been submitted that there is no recovery from the petitioner and till date no test identification parade has also been conducted and the learned counsel has pointed to the bail rejection order passed by the Sessions Judge to contend that although the petitioner was in custody in another case and despite his filing of application before the learned Chief Judicial Magistrate praying to remand the petitioner in this case also, the I.O never remanded the petitioner in this case and thus, the petitioner also did not surrender earlier. The petitioner is in custody since 01.05.2025 and charge-sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Taking into consideration the fact and circumstances and also considering the fact that the material against the petitioner is only the confessional statement of co-

accused before police which has no evidentiary value and the petitioner is in custody since 01.05.2025, charge-sheet has been submitted, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 144 of 2015, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court concerned. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Soni Shrivastava, J)

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