

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57773 of 2025

Arising Out of PS. Case No.-04 Year-2025 Thana- SAKURABAD District- Jehanabad

Shyam Kishore Yadav, Son of Late Nathun Yadav, R/o Village - Bandhu
Bigha, P.S. - Shukurabad, Dist. - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No.1, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 28-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State

2. Petitioner, who is in custody, seeks bail in connection with Shakurabad P.S. Case No. 4 of 2025 registered for the offences punishable under Sections 331(4), 305 of the Bharatiya Nyaya Sanhita, 2023 corresponding to Sections 457 and 380 of the Indian Penal Code.

3. As per the prosecution case, the informant has stated that while he was away, the lock of his house was broken and the gold ornaments were stolen.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated merely because he carries a long list of antecedents of similar offence. It has been submitted that the petitioner was not named in the FIR and his



name surfaced in this case on the confessional statement of one Munna Kumar, who was apprehended in one another case of theft being Sakurabad P.S. Case No. 33 of 2025. It has been submitted that no incriminating article has been recovered from the conscious possession of the petitioner and the petitioner is in custody since 24.03.2025. It has also been submitted that the petitioner has already been enlarged on bail in the other cases of similar offence alleged to have been committed on the same day being Sakurabad P.S. Case No. 33 of 2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, 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 the learned court below where the case is pending/successor court in connection with Shakurabad P.S. Case No. 4 of 2025 subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Jehanabad within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned, order shall not be delayed for



purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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