

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69549 of 2025

Arising Out of PS. Case No.-113 Year-2015 Thana- KHAIRA District- Jamui

Darogi Yadav S/o Bodhan Yadav Resident of Village- Dudhania, P.S.- Sono,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Ankita Kumari, Adv.

For the Opposite Party/s : Mr.Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-10-2025 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 Khaira P.S. Case No. 113 of 2015, registered for the offences under Sections 25(1-b)a, 26 and 35 of the Arms Act and Section 16/17/18/19/20/21/22 of the Unlawful Activities Prevention Act.

3. As per the prosecution case, police received information about gathering of armed naxalites/criminals in the house of co-accused Guddu Yadav. A raid was conducted at the house of Guddu Yadav but some persons fled away taking advantage of darkness. During search of the house of Guddu Yadav, recovery of a single barrel 12 Bore gun, 10 detonators and 5 live cartridges of 12 Bore was made. Co-accused Guddu



Yadav was apprehended who disclosed the name of the petitioner and other co-accused Mantu Yadav who fled away during the raid.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his person or possession. The name of the petitioner transpired in the confessional statement of co-accused. Other similarly placed co-accused persons namely Guddu Yadav and Mantu Yadav have been granted bail by a Co-ordinate Bench of this Court vide orders dated 01.12.2015 and 08.08.2016 passed in Cr. Misc. No. 43956 of 2015 and Cr. Misc. No. 24440 of 2016. The case of the petitioner is on much better footing. The petitioner is in custody since 15.01.2025 and he has 22 criminal antecedents. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the petitioner is a habitual offender and is accused in a large number of cases of very serious nature.

6. Having regard to the fact and circumstances and



submission made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession and further considering grant of bail to other co-accused persons and also considering submission of charge sheet and his period of custody, 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 Additional Sessions Judge-VII, Jamui/concerned court, in connection with Khaira P.S. Case No. 113 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 below, if so required by the learned trial court.
- (iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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