

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66500 of 2025

Arising Out of PS. Case No.-133 Year-2024 Thana- BARAHAT District- Banka

Abhishek Kumar @ Abhishek Yadav S/o- Ashok Yadav Resident of Mirzapur
P.S- Barahat, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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

ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Barahat P.S. Case No. 133 of 2024 instituted for the offences
under Sections 392 & 411 of the Indian Penal Code.

3. Prosecution case, in brief, is that while informant
was returning from Rajoun to his home, he was accosted with
four miscreants, who robbed his collection of Rs. 36,000/-,
mobile phone and his motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is not named in the F.I.R. and his name has



transpired in this case on the basis of confessional statement of co-accused, namely, Shekhar Kumar. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has two criminal antecedents and is languishing in judicial custody since 27.11.2024 without any rhyme or reason. Other co-accused has been granted bail by this Court vide order dated 15-02-2025, passed in Cr. Misc. No. 7462 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, claim based on parity as also taking into account the period of custody of the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barahat P.S. Case No. 133 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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