

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71921 of 2025

Arising Out of PS. Case No.-218 Year-2024 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Dipu Yadav @ Dipu Kumar S/O Late Ram Pravesh Yadav @ Baggar Yadav
R/O - khatakachak Naili, P.S- Vishnupad, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Ms. Vaishnavi Singh, Advocate
		Mr. Ritwik Thakur, Advocate
For the Opposite Party/s :		Mr. Sanjay Kumar Pandey, APP

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

ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Magadh Medical P.S. Case No. 218 of 2024 instituted for the
offence under Section 304 of the Bharatiya Nyaya Sanhita,
2023. Subsequently, Section 309(4) of the BNS, 2023 was
added.

3. The prosecution case, in brief, is that on
24.08.2024, while informant was carrying Rs. 5,00,000/-
received by his grandmother from a land deal, two persons on a
Splendor motorcycle (BR02BN2349) snatched the bag near a
secluded area. Petitioner was allegedly identified by the



informant and his friends, while the other remains unidentified.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.02.2025. Petitioner bears eight criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. As per allegation, petitioner was allegedly identified by the informant's friend, but it is not stated that it is the petitioner who has snatched the bag. There is no ingredient of Section 309(4) of the BNS, 2023. Nothing has been recovered from the conscious possession of the petitioner. Confessional statement of the petitioner was recorded by the police, but the same has no evidentiary value in the eye of law. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Magadh Medical P.S. Case No. 218 of 2024, subject to the following conditions:

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

(II) The petitioner 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 petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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