

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71503 of 2025

Arising Out of PS. Case No.-242 Year-2024 Thana- BARAUNI RAIL P.S. District- Begusarai

Subhash Kumar, Yadav Son of Hari Narayan Yadav, R/o Village- Sonemati,
Ward no. 03, P.S. - Babubarhi, Dist. - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 31-10-2025 Heard Mr. Ranjeet Kumar, the learned counsel for the

petitioner and Mr. Binod Kumar, the learned A.P.P. for the

State.

2. Petitioner, who is in custody, seeks bail in
connection with Barauni Rail P.S. Case No. 242 of 2024
registered for the offences punishable under Sections 309(4) of
the BNS.

3. As per the prosecution case, the informant has
stated that he had gone to drop his nephew at Barauni Railway
Station and when he came out three persons asked him to take
the vehicle to *Madhubani* where the eyes of the informant were
tied with a cloth and they looted away the vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is not named in FIR and he has been falsely



implicated in this case merely because he carries four criminal antecedents of similar nature. It has been submitted that the FIR has been lodged with a delay against unknown persons and only after the confessional statement of a co-accused the petitioner has been taken on remand in the present case. It has been stated that till date no TIP has been done and the charge-sheet has been submitted. It has been lastly submitted that the petitioner has four criminal cases against his name and he is in custody since 05.04.2025.

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 Barauni Rail P.S. Case No. 242 of 2024, 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, Barauni 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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