

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84279 of 2024**

Arising Out of PS. Case No.-202 Year-2023 Thana- PIPRA District- East Champaran

Santosh Renu Yadav @ Santosh Kumar Son of Shri Ramashish Prasad @
Ramashish Yadav Resident of Village - Bairamchak, P.O. - Nadaul, P.S. -
Masaudhi, District - Patna. Present Address - Flat No. - 2, Savitri Apartment,
Near Canara Bank, 70 Feet Road, P.S. - Beur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Adv.
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

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

ORAL ORDER

3 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Pipra
P.S. Case No. 202 of 2023 instituted for the offences under
Sections 147, 149, 447, 448, 436, 427, 380 of the Indian Penal
Code.

3. The prosecution case, in short, is that the accused
persons including the petitioner armed with sword, axe, lathi
etc. after breaking the boundary, entered into the house of the
Complainant. It is alleged that the accused persons looted the
valuable house-hold articles of the Complainant and the Sofa



was set on fire on the command of the co-accused Sunil Singh.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case with false and frivolous allegations as also due to political rivalry as the petitioner is the active member of the political party. The petitioner has not committed any offence as alleged in the F.I.R. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation has been made on the co-accused Santosh Singh @ Sunil Singh. It is surprising that altogether 26 named and 200 unnamed persons entered into the house of the Complainant and caused mischief with fire but, it is surprising that no seizure list was prepared by the police. In the alleged occurrence, not a single member of the family sustained any injury over their bodies. There is no independent witness to the alleged occurrence rather the same are interested witness. The petitioner has four criminal antecedents. The petitioner was arrested in Cyber P.S. Case No. 162 of 2024 on 29.05.2024 and has been remanded in this case on 18.07.2024 for none of his fault.

5. On the other hand, learned A.P.P. for the State has



vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The petitioner has four criminal antecedents. The Informant in her re-statement, contained in Para-5 of the case diary, has corroborated the allegations made in the F.I.R. Several witnesses have also supported the case of prosecution.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case and the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, ***after framing of charge if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pipra P.S. Case No. 202 of 2023, 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)

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