

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84475 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- JADIA District- Supaul

Kameshwar Yadav @ Kameshar Yadav, Son of Late Puran Yadav R/o Village
- Datua, Ward No. 10, P.S.- Jadia, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Jadia
P.S. Case No. 176 of 2025 dated 23.08.2025, instituted for the
offence punishable under Sections 305, 331(4), 3(5) of Bhartiya
Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on the alleged
date of occurrence, it is alleged that the petitioner and other
accused persons were fleeing away after committing theft in the
house of Subhash Yadav. It is alleged that one of the accused
person, namely, Upendra Rishi were apprehended by the
villagers who disclosed the name of the petitioner. It is alleged
that they looted jewellerys and Rs. 1,40,000/- in cash.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the petitioner is named in the F.I.R. The petitioner has not been apprehended at the spot. The apprehended person, namely, Upendra Rishi disclosed the name of the petitioner. Nothing has been recovered from the conscious possession of the petitioner or from his house. Except the confessional statement, no other material is available on record against the petitioner. Lastly, it has been submitted that the petitioner is in custody since 23.08.2025 having two criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Jadiya P.S. Case No. 176 of 2025, as well as the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date



fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks after his release from custody shall appear before the local police station along with a copy of this order and thereafter shall appear in the first week of every month to mark his attendance till the framing of



charge in the lower court.

(Khatim Reza, J)

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