

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89839 of 2024

Arising Out of PS. Case No.-31 Year-2014 Thana- ROSHANGANJ District- Gaya

Krishna Yadav S/o- Late Jatu Yadav R/o Vill- Gansa tola Harsi, Harhi P.S.-
Bhadwar Distt-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 01-07-2025 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 120(B), 121(A) 122, 124(A), 307, 353 of IPC and Sections 3, 4, and 5 of Explosive Substance Act and Sections 13, 16, 18 and 20 of U.A.P. Act and 17 C.L.A. Act.

3. The prosecution case is to effect that on the alleged date of occurrence on getting secret information that Naxalites had gathered, a raid was conducted by the informant along with 20 police personnel where 30 named accused persons and 30 unknowns miscreants started to flee upon seeing the police party and after search one cane bomb was recovered from the field of Lattu Yadav.



4. The learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is further submitted that nothing incriminating has been recovered from the conscious possession of the petitioner or is his house and admittedly, the bomb which was recovered from the field, belongs to one Lattu Yadav. It has next been submitted that the petitioner was arrested on 19.08.2024 and though he has two criminal cases against his name, he is in custody in the present case since 19.08.2024. The learned counsel has drawn the attention of this Court towards the order dated 14.05.2025 passed in Criminal Misc. No. 8894 of 2025 whereby a similarly situated co-accused namely, Shivnandan Yadav has been granted bail by a Co-ordinate Bench of this Hon'ble Court.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and also considering the fact that similarly situated co-accused person has been granted bail by a Co-ordinate Bench of this Hon'ble Court, 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 Roshanganj (Bakebazaar) P.S. Case No. 31 of 2014,



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, Gaya 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.

(Sourendra Pandey, J)

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