

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.957 of 2025

Arising Out of PS. Case No.-36 Year-2006 Thana- AMBA District- Aurangabad

Abhay Yadav @ Gobind Yadav Son of Kuldeep Yadav Resident of Village-
Banmanjhauli, P.S .-Dhibra, District -Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Adv.
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

7 10-07-2025 Heard learned Counsel for the petitioner and learned

A.P.P for the State.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 353, 307 of the Indian Penal Code, Section 3 of the Explosive Substance Act and Section 17 of the C.L.A Act.

3. As per the prosecution case, the police party was carrying ballot papers and there was an explosion, however, nobody was injured in the said incident, but the petitioner and other unknown persons were seen fleeing away from the place of incident.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and the petitioner was not named in the FIR subsequently, he has been specifically implicated in the present case merely on suspicion that he was carrying explosive articles. It is also submitted that the petitioner was not



aware of his name surfacing in the present case and even during his custody from the year 2016 till 2022, he was never taken on remand by the police. It is next submitted that there is no specific allegation against the petitioner and he is in custody since 09.08.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has pointed out toward para-3 of the petition, wherein it is stated that the petitioner has 32 criminal antecedents and though the petitioner has been acquitted in 23 of them and is bail on rest of the cases.

6. Considering the aforesaid submissions of the parties and taking into account the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with G.R. No. 2190 of 2006 arising out of Amba P.S. Case No. 36 of 2006 subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(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 canceled by the Court concerned.

(iv) 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.

(v) In view of the antecedent of the petitioner, the petitioner is directed to appear before the SSP/SP of concerned district 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

Sudhanshu/-

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(Sourendra Pandey, J)

