

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4579 of 2026

Arising Out of PS. Case No.-411 Year-2025 Thana- CHENARI District- Rohtas

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Bittu Yadav @ Paremeshwar Yadav @ Parmeshwar Yadav S/o Ram Chandra
@ Ram Chandra Yadav R/o Village - Sundari, P.S-Bealon @ Belawn, District
– Kaimur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Singh, Advocate
For the State	:	Mr. Ramesh Chandra, APP
For the informant	:	Mr. Rabindra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in Chenari P.S.
Case No. 411 of 2025 dated 30.09.2025, registered under
Sections 303(2), 318(4) and 338 of the *Bharatiya Nyaya
Sanhita, 2023*.

3. As per the FIR, the informant has alleged that on
29.09.2025 when she went to the SBI Chenari ATM near the
petrol pump for withdrawal of money, an unknown person, on
the pretext of helping her, replaced her ATM card and withdrew
a total sum of Rs. 39,500/- from her account.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. It is further submitted that the First Information Report (for short, "F.I.R.") was initially lodged against unknown persons. It is next submitted that during the course of investigation, co-accused Hiralal Yadav was arrested who made a confessional statement and disclosed the name of the present petitioner. Learned counsel submits that save and except the said confessional statement of the co-accused, no other incriminating material has surfaced against the petitioner during investigation. It is further submitted that one TVS Apache motorcycle bearing Registration No. BR-45R-9293 alleged to have been used for recce in the commission of the offence was recovered from the house of the petitioner which, admittedly, stands in his name. On the contrary, it is submitted that 30 ATM cards, other incriminating articles and a cash amount of Rs. 5,500/- were recovered from the house of co-accused Hiralal Yadav. Further, learned counsel submits that the petitioner has been in custody since 19.11.2025. It is next pointed out that during the pendency of the present case, the petitioner has been arrayed as an accused in Chenari P.S. Case No. 410 of 2025, under Sections 303(2) and 318(4) of the *Bharatiya Nyaya Sanhita*, as disclosed in the supplementary affidavit filed on 24.02.2026.

5. On the other hand, learned counsel for the informant



and learned Additional Public Prosecutor for the State have opposed the prayer for bail. It is submitted that the petitioner along with co-accused Hiralal Yadav, have been identified in the CCTV footage. It is further submitted that the TVS Apache motorcycle stated to have been used in the commission of the crime was recovered from the house of the petitioner and that co-accused Hiralal Yadav has also disclosed the name of the petitioner during investigation.

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 Court of C.J. M. Rohtas, Sasaram, in connection with Chenari P.S. Case No. 411 of 2025, subject to the following conditions:(i) that the 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, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that 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 (iv) that 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 and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.

7. The application stands allowed.

(Khatim Reza, J)

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