

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1766 of 2026

Arising Out of PS. Case No.-202 Year-2025 Thana- BARARI District- Katihar

Sanjay Yadav @ Fucho Yadav Son of Raghu Yadav Resident of Village -
Barari Terasi Tola, P.S.- Barari, District - Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks bail who is in custody since
12.08.2025 in connection with Barari P.S. Case No. 202 of 2025
for the offences punishable under Sections 305 and 331(4) of
the BNS.

3. The case of the prosecution, in brief, is that one
Simaranjit Singh, Resident of village Uchla, P.S. Barari, District
Katihar, filed a written report on 01.07.2025 addressed SHO,
Barari Police Station, stating therein inter alia that his sister
resided in Village Laxmipur and his sister and Brother-In Law
Pramjit Singh @ Parmindar Singh had gone to Rajasthan for
admission of child on 29.06.2025 and on 01.07.2025 in the
evening when his brother-in-law told him that the location of his



CCTV Camera was changed and he told him to look into the matter, then he went there and saw that the lock of back gate of his house was broken and inside the house the lock of Godrej was also broken and he inform his brother in law, then he disclosed that in the Godrej Rs. 4,50000/- and the golden ornaments of about 16 Bhars and Silver ornaments were missing and on seeing the CCTV Footage he found that in the last night 3-4 unknown thieves committed theft.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and name of the petitioner has transpired during the course of investigation on the basis of confessional statement of co-accused persons and thereafter the petitioner was arrested and some cash amount with theft articles were recovered from the house of the petitioner. Learned counsel for the petitioner submits that from bare perusal of the seizure list as well as seizure list prepared from the house of the petitioner, it suggests that both are mismatched and except the recovered cash amount, no cogent material has come to suggest the involvement of petitioner in the present occurrence. It is next submitted that police after investigation has submitted charge-sheet and petitioner is in custody since 12.08.2025.

5. The learned Additional Public Prosecutor for the



State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of twenty two cases other than the present case but fairly submits that out of twenty two cases the petitioner is on bail in twenty one cases.

6. Considering the aforesaid facts and circumstances, 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 Additional Chief Judicial Magistrate-I, Katihar in connection with Barari P.S. Case No. 202 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

U		T	
---	--	---	--

