

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2443 of 2026**

Arising Out of PS. Case No.-73 Year-2025 Thana- KURSAILA District- Katihar

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

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      21-01-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Kursela  
P.S. Case No. 73 of 2025 instituted for the offences under  
Sections 331(2) and 305(a) of the Bharatiya Nyaya Sanhita.

3. Prosecution case, in short, is that when the  
informant came to his house from his shop, he saw that the lock  
of the main door was broken and cash and ornaments were  
stolen by the unknown thieves.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case.  
Petitioner is not named in the F.I.R. The name of the petitioner  
transpired in this case on the basis of self-confession in another



case and only on that basis petitioner has been made an accused in the present case. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the stolen articles. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.09.2025 and has eighteen criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- ( Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kursela P.S. Case No. 73 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(IV) The petitioner will not leave the territorial jurisdiction of the Court below without its prior permission for the same.

**(Rudra Prakash Mishra, J)**

Siddharth Soni/-

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