

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4031 of 2026

Arising Out of PS. Case No.-100 Year-2017 Thana- KADAMKUAN District- Patna

Pawan Kumar Yadav @ Golu Yadav S/o Krishna Yadav R/o Village -
Dumaigarh Nawaka Tola, P.S - Domigarh, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-02-2026 Heard Mr. Anuj Kumar, learned counsel for the

petitioner and Mr. Arun Kumar Pandey, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kadamkuan P.S. Case No. 100 of 2017, F.I.R. dated 06.03.2017 for the offences punishable under Section 379 of the IPC.

3. According to prosecution case, some unknown thieves have stolen the motorcycle of the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Petitioner is not named in the F.I.R and his name has been transpired during investigation on the basis of the confessional statement of the co-accused persons, namely,



Abhishek Kumar Ojha @ Sonu and Chandan Kumar Yadav and till date no T.I.P has been conducted by the prosecution. Except the aforesaid, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedents other than the present one but fairly submits that all the cases pertains to excise matter and he is on bail in all the pending cases.

6. Considering the aforesaid facts and circumstances that the petitioner is not named in the F.I.R and on the basis of confessional statement of the co-accused persons the name of the petitioner has been transpired in the present occurrence, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 S.J. VII cum A.C.J.M, Patna Sadar, Patna in connection with Kadamkuan P.S. Case No. 100 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure and with other 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)

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