

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5535 of 2026**

Arising Out of PS. Case No.-177 Year-2025 Thana- BARARI District- Katihar

Sanjay Yadav @ Fucho Yadav S/O Raghu Yadav Residents of Village- Barari  
Terasi Tola, P.S.- Barari, 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. Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      29-01-2026                      Heard Mr. Bimal Kumar, learned counsel for the  
petitioner and Mr. Anil Kumar, learned Additional Public  
Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since  
12.08.2025 in connection with Barari P.S. Case No. 177 of  
2025, F.I.R. dated 09.06.2025 for the offences punishable under  
Sections 303(2), 334(1) of the BNS, 2023.

3. According to prosecution case, petitioner and other  
co-accused persons are alleged to committed theft in the shop of  
the informant and stolen many articles including Rs. 35,000/-  
also.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and he has falsely been implicated in the  
present case. Learned counsel further submits that the petitioner  
is not named in the FIR and the name of petitioner has been  
transpired during investigation which was recorded in Barari



P.S. Case No. 202 of 2025 and thereafter, the petitioner has confessed his guilt in the present occurrence. He further submits that nothing has been recovered from the possession of the petitioner and till date no TIP has been conducted by the prosecution and the petitioner has been remanded in the present case from Barari P.S. Case No. 202/2025 on 31.10.2025 and the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 31.10.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries twenty cases more other than the present one but fairly submits that the petitioner is on bail in 16 cases and rest cases are pending for consideration before competent court of law.

6. Considering the aforesaid facts and circumstances and also the fact that the petitioner is not named in the FIR, the name of the petitioner transpired during investigation on the basis of self confessional statement and till date no TIP has been conducted by the prosecution, 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. 177 of 2025,  
with 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 her absence on two consecutive dates without sufficient reason, his/her 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)**

Ranjeet/-

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