

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11302 of 2026

Arising Out of PS. Case No.-209 Year-2024 Thana- SHANKARPUR District- Madhepura

Jay Kumar Yadav, aged about 58 years, Male, Son of Satyanarayan Yadav,
Resident of village- Gopalpur, P.S.- Kumarkhand (Bhatni OP), District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner is in custody in a case registered for the
offences punishable under Sections 126(2) 115(2), 109, 303(2),
308(4), 308(5), 351(2),(3), 352, 3(5) of the BNS and Section
27 of the Arms Act.

3. As per allegation in the FIR, informant being
Munshi in construction work of 720 S.T.S.C. Residential School
Machha, and the allegation against the petitioner is that he along
with other co-accused persons armed with deadly weapons came
at the construction premises of said Residential School and
started abusing the informant and demanded ransom. There is
further allegation that they looted the huge quantity of



construction materials such as sand, *gitti*, cement, grill, plank, electric wire, tiles etc at the gunpoint and when the informant opposed them, they bullet fired on him but luckily it hit at the door, wall/grill.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He next submits that in the alleged FIR the informant has not mentioned about extortion amount which was demanded by the accused persons. He further submits that no incriminating article has been recovered from the possession of the petitioner. He next submits that petitioner is in custody since 19.05.2025 and has got fifteen criminal antecedent as stated in para-3 of the bail petition out of which in seven cases he has been acquitted and in rest cases he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the FIR and impugned order dated 23.07.2025, it appears that on the basis of written report of the informant, FIR has been registered under Sections 126(2) 115(2), 109, 303(2), 308(4), 308(5), 351(2),(3), 352, 3(5) of the BNS and Section 27 of the Arms Act against the three accused persons including the present petitioner and the allegation is of



demanding ransom. This is the second attempt for bail of the petitioner. Earlier the prayer for bail of this petitioner was rejected by this Court passed in Cr. Misc. No. 56300 of 2025 vide order dated 17.10.2025 with an observation that the petitioner will be at liberty to renew his prayer for bail after completion of one year of his judicial custody. Similarly situated co-accused person namely Bhola Yadav has been granted bail by a co-ordinate Bench of this Court passed in Cr. Misc. No. 69596 of 2025 vide order dated 06.01.2026, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant regular bail to the petitioner.

7. Accordingly, the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Shankarpur P.S. Case No. 209 of 2024, subject to the conditions:-

(i) one of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the trial Court.

(iii) In case of absence on three consecutive dates or



in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The petitioner will appear before the police station concerned in every fortnight till the disposal of the case.

(Ramesh Chand Malviya, J)

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