

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11608 of 2026

Arising Out of PS. Case No.-20 Year-2004 Thana- HALSI District- Lakhisarai

Prakash Yadav Son of Late Ragho Yadav Resident of village - Khuriari, P.S.-
Halsi, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 25-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Halsi P.S. Case no.20 of 2004, registered under sections 399 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that having received secret information about the accused persons having gathered and planning to give effect to an occurrence, a raid was conducted. It is stated that while three accused were caught, five others managed to escape. The accused who were caught disclosed the names of the persons



who had managed to escape and which included the petitioner herein. Further on search various incriminating articles including a .315 bore rifle, 35 live cartridges, another loaded country made gun etc. were recovered.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article was recovered from the petitioner's possession and he was not arrested at the spot. The petitioner is in custody since 16.6.2025 and undertakes to cooperate in the trial. A number of co-accused have already been enlarged on bail as also acquitted in the trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and having perused the contents of the petition, it transpires that in an F.I.R. lodged in the year 2004, charge-sheet was submitted on 8.11.2004 showing the petitioner to be an absconder. The petitioner continued to evade arrest till he was arrested 21 years later on 16.6.2025.

7. Taking into consideration the allegations in the F.I.R., the petitioner having been named therein, charge-sheet having been submitted against the petitioner in the year 2004



and the petitioner having absconded for 21 years till he was taken into custody, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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