

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13078 of 2026

Arising Out of PS. Case No.-78 Year-2025 Thana- CHIHARA District- Jamui

Raju Yadav Son of Late Bijo Yadav Resident of Village - Ramnitntr, P.S.-
Bhelwaghati, District - Giridih

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-04-2026 Heard Mr. Satya Prakash Parasar, learned counsel for

the petitioner and Mr. Tarun Prasad Mandal, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
20.09.2025 in connection with Chihra P.S. Case No. 78 of 2025,
F.I.R. dated 16.09.2025 for the offences punishable under
Sections 308(3), 308(4), 308(5) and 61(2) of the BNS, 2023 and
Sections 16, 1, 18, 20 and 21 of the Unlawful Activities
(Prevention) Act.

3. According to prosecution case, on secret
information regarding Naxal activities, police reached place of
occurrence and found black flag hoisted on the bamboo stick
foam plates, pamphlets written in red ink containing threats etc.
and upon enquiry found that some naxalites have put the above



articles with intention to create obstruction in the upcoming assembly elections.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR that no incriminating articles have been recovered from the possession of the petitioner and he has been made accused merely on the basis of suspicion. The petitioner is not named in the FIR. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Ulfat Ansari has been granted bail by a co-ordinate Bench of this Court vide order dated 15.01.2026 passed in Cr. Misc. No. 48 of 2026 and another co-accused, namely, Gajadhar Mandal has also been granted bail by this Court vide order dated 19.01.2026 passed in Cr. Misc. No. 90877 of 2025. The petitioner is in custody since 20.09.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries nine criminal antecedents other than the present one but fairly submits that he is on bail in eight



cases and in one case he has been acquitted by the learned Trial Court.

6. Considering the aforesaid facts and circumstances that petitioner is not named in the FIR, nothing incriminating article has been recovered from the possession of the petitioner and similarly situated co-accused persons have been granted bail by this Court as well as by a Co-ordinate Bench of this Court, 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-2, Jamui in connection with Chihra P.S. Case No. 78 of 2025, subject to 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 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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