

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40924 of 2026

Arising Out of PS. Case No.-39 Year-2026 Thana- Charkapathar District- Jamui

Kailu Yadav S/o Late Sukar Yadav R/o Bichachhagarh, P.s. - Charkapathar,
Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mohit Raj, Advocate
For the Informant	:	Mr. Sandeep Kumar Mandal, Advocate
For the Opposite Party/s	:	Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard Mr. Mohit Raj, learned counsel for the petitioner, Mr. Sandeep Kumar Mandal, learned counsel for the Informant and Mr. Mritunjay Kumar Nirala, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 17.03.2026, in connection with Charkapathar P.S. Case No. 39 of 2026, F.I.R. dated 16.03.2026 registered for the offences punishable under Sections 190, 191(2), 191(3), 115(2), 126(2), 76, 324(4), 329(5), 308(5), 308(2), 303(2), 351(2), 352 and 3(5) of the B.N.S., 2023.

3. As per F.I.R., petitioner along with other co-accused persons demolished the house of the informant by JCB machine and also demanded extortion money of Rs. 10 Lakhs



against construction of house. The lady members of the family were also assaulted by the co-accused persons during the occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It appears from the F.I.R. that due to land dispute the present occurrence had taken place. Although the petitioner is named in the F.I.R. but there is no specific allegation of any assault or overt act attributed against the petitioner rather there is allegation against the petitioner that he along with other co-accused persons have demanded money as an extortion from the informant. He further submits that in fact the land in question belonged to the petitioner and similarly situated co-accused person namely, Niraj Kumar @ Niraj Barnabal has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 21.05.2026 passed in Cr. Misc. No. 33444 of 2026, another co-accused person namely, Sandeep Vishwakarma has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 29.06.2026 passed in Cr. Misc. No. 41203 of 2026, another co-accused person namely, Umesh Yadav has been granted regular bail by a Coordinate Bench of this Court vide order dated



17.06.2026 passed in Cr. Misc. No. 37947 of 2026, another co-accused person namely, Dhiraj Kumar @ Dhiran Barnwal has been granted regular bail by a Coordinate Bench of this Court vide order dated 24.06.2026 passed in Cr. Misc. No. 40291 of 2026 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 07.03.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jamui in connection with Charkapathar P.S. Case No. 39 of 2026, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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