

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44956 of 2026

Arising Out of PS. Case No.-92 Year-2026 Thana- MIRGANJ District- Gopalganj

Ajay Yadav Son of Suresh Yadav Resident of Village- Kheman Tola, P.S.-
Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2026 Heard Mr. Adesh Raj Singh, learned counsel for the
petitioner and Mr. Dilip Kumar No. 1, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
15.02.2026, in connection with Mirganj P.S. Case No. 92 of 2026,
F.I.R. dated 14.02.2026 registered for the offences punishable
under Sections 317(5), 317(4), 318(2), 338, 336(3), 340(2), 111 &
3(5) of the B.N.S., 2023.

3. Allegation against the petitioner is that the petitioner
used to keep the stolen motorcycles and later on he sells it and one
co-accused Babi Ram @ Bobby Ram had stolen the motorcycle of
the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named in
the F.I.R. and the name of the petitioner has been transpired on the



basis of confessional statement of co-accused person namely Babi Ram @ Bobby Ram and nothing has been recovered from the conscious possession of the petitioner and till date no TIP was conducted by the prosecution. Learned counsel for the petitioner further submits that co-accused person, namely, Babi Ram @ Bobby Ram who has confessed the name of the petitioner has been granted bail by this Court vide order dated 17.06.2026 passed in Cr. Misc. No. 37447 of 2026. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.02.2026.

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 five 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 and the fact that the petitioner is not named in the F.I.R and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person who has confessed the name of the petitioner has been granted bail by this Court and till date no TIP was conducted by the prosecution, 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 Chief Judicial Magistrate, Gopalganj in connection with Mirganj P.S. Case No. 92 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.

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(Rajesh Kumar Verma, J)

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