

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69596 of 2025

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

Bhola Yadav S/o Late Bhumi Yadav R/o Village- Machhaha, Ward No. 02,
P.S.- Shankarpur, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 06-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Session Trial No. 177 of 2025 arising out of Shankarpur P.S. Case No. 209 of 2024 registered for the alleged offences under Sections 126(2), 115(2), 109, 303(2), 308(4), 351(2) (3), 352 r/w Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner along with co-accused persons came to the construction site where the informant had been working as *Munshi* and threatening him with firearm, demanded extortion. Subsequently, they carried away the construction material kept at the site when their extortion demand was not met. The petitioner and other co-accused persons kept on pilfering the construction material from the site



from time to time. Lastly, on 28.11.2024, they further demanded some construction material and when the informant refused, they fired upon him but the shot missed the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner never demanded any extortion money from the informant. The petitioner used to oppose about the poor quality of materials being used in the construction of the building of school in the village of the petitioner and he has been named in this case under a conspiracy. The petitioner has also been constructing his house in the village and the recovery of construction material shown from the house of the petitioner is the material collected by the petitioner for construction of his house. Learned counsel further submits that the petitioner is having antecedent of seven cases and is in custody since 22.04.2025. Charges have been framed against the petitioner.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner appears to be a habitual offender and carries antecedent of seven criminal cases.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and framing of charge against



him, the petitioner above named is directed to 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 learned Additional Sessions Judge-IV, Madhepura/court concerned in connection with Session Trial No. 177 of 2025 arising out of Shankarpur P.S. Case No. 209 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following 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 court below.
- (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.

(Arun Kumar Jha, J)

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