

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68925 of 2025**

Arising Out of PS. Case No.-236 Year-2022 Thana- BARUN District- Aurangabad

Santosh Yadav @ Santosh Kumar, S/o Brij Bihari Singh R/o Village- Mowap
Kurde, P.S- Emadpur, Dist.- Bhojpur, Ara, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Yadav, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER**

4 07-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Sessions Trial No. 1246 of 2022 arising out of Barun P.S. Case No. 236 of 2022, G.R. No. 1246 of 2022 registered for the offence punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution case, four unknown miscreants are said to have taken away the trailer of the informant loaded with steel worth of Rs.22,00,314/-.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has surfaced in the confessional statement of co-accused Santosh Kumar Pandit. It has been submitted that except the said confessional statement there is nothing on record to connect the petitioner with the



aforesaid incident. It has been asserted that no incriminating article has been recovered from the conscious possession of the petitioner and the same has been recovered by the police, as would be evident from perusal of the case diary, from somewhere else. It has further been submitted that till date no TIP has been conducted and the petitioner is in custody since 17.04.2025. It has next been submitted that charge-sheet has already been submitted and similarly situated co-accused persons, namely, Santosh Kumar Pandit, Suryadeo Singh, Dinesh Prasad, Amit Kumar, Arjun Paswan, Amar Kumar and Vickky Kumar, have all been granted bail by different learned Co-ordinate Benches of this Hon'ble Court. It has lastly been submitted that the petitioner has one criminal antecedent.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, 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 court below where the case is pending/successor court in connection with Sessions Trial No. 1246 of 2022 arising out of Barun P.S. Case No. 236 of 2022, G.R. No. 1246 of 2022,



subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two 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) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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