

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72507 of 2025

Arising Out of PS. Case No.-132 Year-2021 Thana- CHAUSA District- Madhepura

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Ashok Yadav Son of Chhotelal Yadav @ Chhote Lal Yadav Resident of
village- Bhatgama PS- Chausa Chousa District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 08-01-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Chausa
P.S. Case No. 132 of 2021 dated 09.11.2021 registered for the
offences punishable under Sections 364 and 34 of the I.P.C.

3. As per the prosecution case, the brother of the
informant namely, Rajesh Yadav is said to have been forcefully
kidnapped by four accused persons including the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. It has next been submitted that the petitioner was not
involved any kind of kidnapping and he was not aware of the
case lodged against him and moreover one of the co-accused
namely, Jaynath Yadav has been enlarged on bail by the



Coordinate Bench of this Court vide order dated 13.01.2023 passed in Cr. Misc. No. 29843/2024. It has next been submitted that during the investigation, no material has come to connect the petitioner with the aforesaid incident. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 15.06.2025.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner and has pointed out that the case is of 2021 and the petitioner has absconded for four years and only when the orders of Sections 82 and 83 were issued then the petitioner has surrendered. It has next been submitted that the petitioner was involved in kidnapping of the younger brother of the informant who is still traceless.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail, **after framing of charge**, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Udakishunganj, Madhepura in connection with Chausa P.S. Case No. 132 of 2021, subject to the following terms and conditions :-

(i) One of the bailors shall be a close relative of the



petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(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) The trial court 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 trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

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

8. The application stands allowed.

(Sourendra Pandey, J)

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