

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76259 of 2025

Arising Out of PS. Case No.-46 Year-2016 Thana- ATRI District- Gaya

Om Prakash Yadav S/o Late Kuldeep Yadav R/o Village- Mohra, P.S.- Atri,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 28-01-2026 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Atri
P.S. Case No. 46 of 2016 instituted for the offence under
Sections 147, 148, 149, 452, 504 & 506 of the Indian Penal
Code, Sections 3 & 4 of the Explosive Substance Act and
Section 17 of the Criminal Law Amendment Act.

3. The prosecution case, in short, is that on
03.03.2016, the informant was told by phone that his ancestral
house was demolished by dynamite, following which he
informed the police. It is alleged that Om Prakash Yadav
(petitioner) along with others, forcibly entered the house,
expelled the informant's mother and daughter-in-law, and



snatched household articles. The accused further allegedly threatened the informant's mother to withdraw a murder case, failing which the entire family would be killed.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.03.2025. Petitioner bears four criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no specific allegation against the petitioner, rather the same is general and omnibus in nature. Nothing has been recovered from the conscious possession of the petitioner. There is no cogent material against the petitioner to establish his role in the alleged occurrence. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of



Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Atri P.S. Case No. 46 of 2016, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(IV) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.

(v) The petitioner shall not leave the territorial jurisdiction of the court below without its prior permission.

Raj Kishore/-

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(Rudra Prakash Mishra, J)

