IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80242 of 2026

CNR No. BRHC011128272026

Arising Out of PS. Case No.-236 Year-2025 Thana- CHANDAUTI District- Gaya

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Chandan Kumar @ Chandan Sarkar @ Gaya Yadav Son of Late Bigan yadav Resident of Village- Saren, P.S.- Tehta (Makhdumpur), District- Jehanabad.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Paras Nath, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in S.Tr. No. 1032 of 2026 arising out of Chandauti P.S. Case No. 236 of 2025 instituted for the offences under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution allegation, in short, is that on the night of 22.06.2025, near Kisan College in Korma, three men on a motorcycle intercepted the informant by jamming a bamboo stick into his motorcycle wheel to stop. At gunpoint, they assaulted him, snatched motorcycle key, took Rs. 900 from his pocket, and fled toward Belaganj on his motorcycle.

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4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case merely on suspicion. The petitioner is not named in the FIR. The name of the petitioner has transpired on the confessional statement of co-accused, namely, Kaushal Kumar. There is no recovery of any incriminating articles from the conscious possession of the petitioner. It is further submitted that the looted motorcycle has been recovered from the possession of co-accused, namely Devan Yadav. Charge has been framed in this case. The petitioner is in custody since 16.07.2025 and has got six criminal antecedents. The petitioner has not been put on T.I.P. to ascertain his participation in the instant case. There is no compliance of Section 103 of the B.N.S.S..

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

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

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court

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below/concerned Court in connection with S.Tr. No. 1032 of 2026 arising out of Chandauti P.S. Case No. 236 of 2025, 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 and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

(IV) The petitioner shall not commit any offence punishable under Chapter XVII (Offences Against Property) of the Bharatiya Nyaya Sanhita, 2023 in future.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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