IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78325 of 2026

CNR No. BRHC011133892026

Arising Out of PS. Case No.-198 Year-2015 Thana- MANSI District- Khagaria

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Pappu Yadav Son of Shashi Yadav @ Shashi Prasad Yadav Resident of Village- Purbi Thatha, P.S.- Mansi, District- Khagaria (Bihar).

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Binod Kumar, Advocate
Mr. Amit Prakash, Advocate
Ms. Ayushi, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner, Mr. Binod Kumar along with Mr. Amit Prakash and Mr. Uday Chand Prasad, learned APP on behalf of the State.

2. This is an application for grant of regular bail to the petitioner who has been made accused in connection with Sessions Trial No. 355 of 2016 arising out of Mansi P.S. Case No. 198 of 2015 registered for the offences punishable under Sections 147, 148, 149, 341 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. The petitioner had earlier moved before this Hon'ble Court and twice his bail application was rejected vide order dated 15.09.2017 in Cr. Misc No. 35571 of 2017 and order

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dated 12.09.2018 in Cr. Misc No. 39036 of 2018. Lastly, vide order dated 08.05.2019 passed in Cr. Misc No. 13718 of 2019, the petitioner was granted bail. Further, vide order dated 09.12.2025 of the trial court, the bail bond of the petitioner was cancelled and non- bailable warrant was issued.

4. It is submitted that since the petitioner was out of state for his livelihood, he could not appear and the non-appearance of the petitioner on 09.12.2025 was neither deliberate nor intentional, but purely due to lack of communication from his trial advocate.

5. It is further submitted that the Sections 82 and 83 of the Cr.P.C were issued in hasty succession without awaiting a proper service report of the non-bailable warrant.

6. It is also stated that the petitioner showing bonafide respect for law, voluntarily surrendered on 31.08.2026. Charges have already been framed on 24.01.2017 and the trial is going on. The petitioner is having clean antecedent, except for this case.

7. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into

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consideration the materials available on record, let the petitioner, above named, 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- III, Khagaria in connection with Sessions Trial No. 355 of 2016 arising out of Mansi P.S. Case No. 198 of 2015, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(iii) if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

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