

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82695 of 2025

Arising Out of PS. Case No.-534 Year-2020 Thana- NARPATGANJ District- Araria

Abhijit Yadav @ Abhijit Kumar Yadav S/o Nand Kishor Yadav R/o Village -
Rajgaw, P.S - Jadiya, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-01-2026 Heard Mr. Binod Kumar Yadav, learned counsel
for the petitioner as well as Mr. Yogendra Kumar, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.12.2020 in connection with Narpatganj P.S. Case No. 534 of
2020 (S.T. 176/2021), F.I.R. dated 05.12.2020 for the offences
punishable under Sections 302, 201, 120(B)/34 of Indian Penal
Code.

3. According to prosecution case, the informant
suspects that the petitioner along with other co-accused persons
killed his brother.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. The allegation levelled against the petitioner is



false and fabricated. Informant is not the eye witness of the alleged occurrence and even no one had seen the occurrence and merely on the basis of suspicion, the petitioner has been made accused in the present case. He further submits that charge has been framed and trial has begun and out of five charge-sheet witnesses, three witnesses have been examined but they have not supported the case of the prosecution and they have stated that they are not the eye witness of the alleged occurrence.

5. Vide order dated 02.12.2025 a report was called with regard to stage of the trial. Report of the learned trial Court dated 18.12.2025 reveals that out of five charge-sheet witnesses, three witnesses have examined.

6. Learned counsel for the petitioner submits that last witness was examined on 25.07.2023 and thereafter the prosecution has not examined any witness as yet and in view of the report of the learned trial Court the trial is not likely to be concluded in the near future and the petitioner is in custody 16.12.2020 which is more than five years.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries nine criminal antecedents other than the present one but fairly submits that witnesses have



not supported the case of the prosecution before the learned trial Court.

6. Considering the aforesaid facts and circumstances as well as report of learned trial Court and period of custody, 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 Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 534 of 2020, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

Suruchi/-

U		T	
---	--	---	--

