**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.81197 of 2026**

**CNR No. BRHC011169062026**

Arising Out of PS. Case No.-366 Year-2026 Thana- MOHANPUR District- Gaya

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Rajesh Yadav @ Rajesh Kumar S/o Chandar Yadav @ Briksh Mahto Resident of village - Harha, P.S- Mohanpur, District - Gaya.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr.Jitendra Kumar, Advocate
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**

ORAL ORDER

2 25-11-2026 Heard Mr.Jitendra Kumar, learned counsel for the petitioner and Mr.Jharkhandi Upadhyay, learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since 27.08.2026 in connection with Mohanpur P.S. Case No. 366 of 2026, F.I.R. dated 27.08.2026 registered for the offence punishable under Sections 309(6),109(1),3(5) of BNS.

3. Allegation against the petitioner is that he helped to escape the accused person from the place of occurrence and also help to conceal the looted motorcycle at the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. It appears from the FIR that the petitioner was not involved in the present crime in question and

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there is no specific allegation against the petitioner, only allegation against the petitioner is that he tried to escape the accused persons from the place of occurrence and also tried to conceal the looted motorcycle at the place of occurrence and except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and petitioner has assisted the accused person in escaping the accused person from the place of occurrence. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 27.08.2026.

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

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation against the petitioner in the FIR only allegation against the petitioner is that he assisted the accused person in escaping from the place of occurrence, 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 learned Additional Chief Judicial Magistrate-II, Sherghati, Gaya in connection with Mohanpur P.S. Case No. 366 of 2026, with the

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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/her absence on two consecutive dates without sufficient reason, his/her 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)**

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