

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82841 of 2025

Arising Out of PS. Case No.-375 Year-2024 Thana- RAJAON District- Banka

Abhishek Kumar @ Abhishek Yadav S/o- Ashok Yadav Resident of Mirzapur
P.S- Barahat, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the State : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2026 Heard Mr. Dhananjay Kumar Pandey, learned
counsel for the petitioner and Mr. Rajendra Nath Jha, learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
12.11.2024 in connection with Rajoun P.S. Case No. 375 of
2024, F.I.R. dated 06.08.2024 registered for the offence
punishable under Sections 309(4), 309(6) of BNS and Section
27 of the Arms Act.

3. The FIR of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. The name of the petitioner
has been transpired during investigation on the basis of the
confessional statement of co-accused person, nothing has been



recovered from conscious possession of the petitioner, till date no TIP has been conducted by the prosecution. He further submits that similarly situated co-accused person namely Suman Kumar @ Suman Choudhary has been granted bail by this Court vide order dated 27.01.2026 passed in Cr. Misc. No. 3838 of 2026. The police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 12.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one, as mentioned in para-3 of the bail petition in which he is on bail in the pending matters.

6. Considering the aforesaid facts, petitioner is not named in the FIR, the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person and till date no TIP has been conducted by the prosecution, 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 Judicial Magistrate 1st Class, Banka in connection with Rajoun P.S. Case No. 375 of 2024, with 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/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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