

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86601 of 2025

Arising Out of PS. Case No.-960 Year-2025 Thana- GAYA MUFASIL District- Gaya

Deepak Yadav Son of Lalu Yadav @ Lallu Yadav R/o Village - Salempur ,
P.S.- Muffasil, District - Gaya. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brijmohan Das, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. Brijmohan Das, learned counsel for the

petitioner and Mr. Nand Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 960 of 2025, F.I.R. dated 13.09.2025 for the offences punishable under Sections 308(2), 308(3) and 3(5) of the BNS, 2023.

3. According to prosecution case, this petitioner was illegally running a parking near Sitakund whereas he was issued license to run parking in Salempur Ghat.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. In fact, the petitioner was a license holder of Gaya Municipal Corporation office for running a parking in



Salempur Ghat for the years 2025-26 w.e.f. 02.04.2025 to 31.06.2026. As per the allegation, the occurrence took place on 09.09.2025 but the F.I.R has been instituted on 13.09.2025 i.e., after delay of about 4 days without giving any explanation of the said delay and without any evidence for proving that the petitioner has collected the parking charge without proper license.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has collected the parking charge beside his area and apart from that the petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph no. 3 of the bail application that the petitioner is on bail in both the pending matters.

6. Considering the aforesaid facts and circumstances that the petitioner is license holder of the car parking issued by the Gaya Municipal Corporation, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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,



Gaya Ji in connection with Muffasil P.S. Case No. 960 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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)

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