

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84664 of 2025

Arising Out of PS. Case No.-389 Year-2024 Thana- AMARPUR District- Banka

Bikash Yadav @ Vikku Yadav S/O Late Baiju Yadav Resident of Vill.- Bari
Govindpur, P.S.- Dharhara, Dist.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-01-2026 Heard Mr. Dhananjay Kumar Pandey, learned
counsel for the petitioner and Mr. Pradeep Narain Kumar,
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.07.2025 in connection with Amarpur P.S. Case No. 389 of
2024, F.I.R. dated 17.06.2024 for the offences punishable under
Sections 376, 302 and 201 of the IPC.

3. According to prosecution case, one unidentified
woman was murdered by some unknown persons.

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 and he has been made accused in the present



case merely on the ground that he is family member of the co-accused, Sunni Kumar. He further submits that it appears from the F.I.R that the date of occurrence is 16.06.2024 and on the said date the petitioner was in judicial custody in connection Dharara P.S. Case No. 21 of 2019 under Section 30(a) of the Bihar Prohibition and Excise Act. As per the allegation in the F.I.R, the petitioner was talking to co-accused Sunni Kumar who is nephew of the petitioner from jail. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 17.07.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents other than the present one but fairly submits that he is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances that the petitioner has been made accused only because he was talking with the co-accused from jail, 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 CJM, Banka in connection



with Amarpur P.S. Case No. 389 of 2024, 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)

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