

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87703 of 2025

Arising Out of PS. Case No.-399 Year-2024 Thana- RAJAON District- Banka

Abhishek Kumar @ Abhishek Yadav Son of Ashok Yadav Resident of village
- Mirzapur, P.S.- Barahat, District - Banka

... .. 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. Ajit Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 309(4), 317(2) of the
B.N.S.

3. As per the prosecution, the petitioner, along with
other co-accused, allegedly robbed a truck and fled with it.
Upon apprehension by the police, a country-made pistol and
one live cartridge were recovered from a co-accused.

4. The learned counsel for the petitioner submits
that the petitioner has been falsely implicated in the present
case although he is neither involved in the loot of the truck nor
anything has been recovery from his conscious possession. It is
further submitted that during the course of investigation it



transpired that the truck in question was recovered by the police from the main road which was being driven by the petitioner and co-accused Karan Jha was allegedly sitting behind him and country made pistol and one live cartridge has also been recovered from the possession of the said co-accused Karan Jha for which separate case was also instituted by police on the same date. Co-accused, Karan Jha with such allegations has already been granted privilege of bail by a Co-ordinate Bench of this Court vide order dated 30.07.2025 passed in Cr. Misc. No.48318 of 2025. The petitioner is in custody since 01.10.2024.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that the petitioner has remained in custody for about one and a half years and similarly situated co-accused has been granted the privilege of bail by Co-ordinate Bench of this Court and no progress has been made in the case, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Judicial Magistrate 1st Class, Banka/concerned Court below in connection with Rajoun P.S. Case No. 399 of 2024 subject to condition that:-

- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

7. However, the learned Trial Court is also directed to proceed expeditiously in the case after framing of charge, in case the same has not been framed.

(Soni Shrivastava, J)

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