

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89365 of 2025

Arising Out of PS. Case No.-121 Year-2024 Thana- SIMRI District- Darbhanga

Abhi Nandan Kumar Yadav @ Abhi Nandan Yadav S/o- Garatu Yadav R/o
Village- Tara Lahi Ps- Bahadurpur Dist-Darbhang.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad

For the Opposite Party/s : Mrs. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Simri
P.S. Case No. 121/2024 registered for the offences punishable
under Section 394 of the Indian Penal Code.

3. As per prosecution case, the informant along with
wife and Bhabhi proceeded towards the D.M.C.H. for treatment
and three miscreants came out on the motorcycle and took out
the key from the motorcycle and snatched *dhonla* from the neck
of informant's Bhabhi and also snatched a *mangalsutra* from the
neck of his wife. Thereafter, the informant caught hold of one
miscreant. Then another miscreant opened fire which hit the
foot of the informant.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. The petitioner is languishing in custody since 08.07.2025 and bears four criminal antecedents in which he is on bail in three cases. The petitioner is not named in the FIR and his name surfaced during course of the investigation, on the basis of confessional statement of co-accused Mahesh Yadav. Except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. No incriminating article has been recovered from the conscious possession or the house of the petitioner. He further submits that no T.I.P has been conducted uptill now. He orally submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. On similar and identical allegation co-accused Mahesh Yadav and Chandan Kumar Yadav @ Chandan Yadav have already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.87725/2025 and Cr. Misc. no.5009/2025 respectively and on the principle of parity the petitioner also deserves same treatment.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that during course of investigation and on the basis of confessional



statement of co-accused the name of the petitioner surfaced in this case and the petitioner cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody, on similar and identical allegation co-accused have already been granted bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Darbhanga in connection with Simri P.S. Case No. 121/2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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