

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11230 of 2025

Arising Out of PS. Case No.-174 Year-2024 Thana- DHANAHA District- West Champaran

Ravi Prakash Yadav Son of Girja Shankar Yadav Resident of Village - Nabka Tola, Padrona (Ambedkar Nagar), P.S. - Padrona, District - Kushi Nagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 39576 of 2025

Arising Out of PS. Case No.-174 Year-2024 Thana- DHANAHA District- West Champaran

Nanhe Singh @ Krishna Kumar Singh @ Krishna Singh S/o Baliram Singh R/o Village- Khairwa Tola, P.S.- Bhitaha, District- West Champaran (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 11230 of 2025)

For the Petitioner/s : Ms. Neetu Jha, Advocate
For the Informant : Mr. Vishwajeet Mishra, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 39576 of 2025)

For the Petitioner/s : Mr. Suresh Prasad Sharma, Advocate
For the Informant : Mr. Vishwajeet Mishra, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 20-06-2025 Heard learned counsel for the petitioners, learned

counsel for the informant and learned Additional Public

Prosecutor for the state.



2. The petitioners seek bail in a case registered for the offences punishable under Sections 103(1) and 3(5) of BNS and Section 27 of the Arms Act. Petitioner namely, Ravi Prakash Yadav has clean antecedent and petitioner namely, Nanhe Singh has two criminal antecedents.

3. The prosecution case is to the effect that the informant's husband namely Vaibhav Kumar Rai had gone to Tamkuhwa Bazar and in the evening some unknown miscreants have killed him by shooting on his head. Further, it is alleged that prior to the date of occurrence on the same day some person met him and among those one Govind Madhesiya with whom there was some talk with regard to exchange of money which was going on and had sought for legal action.

4. The learned counsel for the petitioners submit that they are not named in the FIR and they were apprehended by the police together and subsequently their confessional statements were taken and on the sole ground of the confessional statement, the petitioners have been implicated in this case. It has further been submitted that no specific overt act has been alleged against the petitioners and even during the course of investigation, apart from the confessional statement, there is nothing to connect the petitioner, namely, Ravi Prakash Yadav



and Nanhe Singh. It has lastly been submitted by the learned counsel for the petitioners that Petitioner No.1, namely, Ravi Prakash Yadav has clean antecedent and he is in custody since 29.10.2024 while Petitioner No. 2, namely, Nanhe Singh has two criminal antecedents and he is in custody since 09.01.2025.

5. Learned counsel for the informant has submitted that during the course of investigation it has come that it was the petitioners who had assisted co-accused Vikash Singh and ultimately the husband of the informant was killed. It is further submitted by learned counsel for the informant that it was a pre-planned murder on account of such conspiracy in which the petitioners had participated. It is also submitted by learned counsel for the informant that it was the petitioner namely Ravi Prakash Yadav and Nanhe Singh @ Krishna Kumar Singh @ Krishna Singh who had accepted their guilt in the confessional statement before the Police and had killed the husband of the Informant in connivance and with the help of other co-accused persons and they were apprehended with cash of Rs. 1,00,000/-, as such, they should not be released on bail. Learned Additional Public Prosecutor for the State has supported the submission made on behalf of the informant.

6. Considering the aforesaid submissions of learned



counsel and taking into account that there is no specific allegation of overt act against the petitioners and they are in custody since 29.10.2024/09.01.2025, the petitioners above named, are directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dhanaha P.S. Case No. 174 of 2024, subject to the the following conditions:-

(i) One of the bailors of the petitioners shall be his close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage



it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

Siwani/-

U		T	
---	--	---	--

