

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9868 of 2025

Arising Out of PS. Case No.-6 Year-2024 Thana- ISMAILPUR District- Bhagalpur

Bimlesh Yadav @ Bimlesh Kumar @ Vimlesh Yadav S/O Shankar Yadav @
Shiv Shankar Yadav Village- Ismailpur, P.S.- Ismailpur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate

For the State : Mr. Ram Priya Sharan Singh, A.P.P

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 29-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Ismailpur P.S. Case No. 6 of 2024 lodged on 26.01.2024, for the offence punishable under Sections 147, 148, 149, 341, 342, 307, 302, 504 & 506 of the Indian Penal Code and section 27 of the Arms Act.

3. Earlier, the petitioner had moved before this Hon'ble Court for anticipatory bail in Cr. Misc. No.47516 of 2024 which was dismissed as withdrawn *vide* order dated 28.11.2024 and liberty had been granted to the petitioner to surrender and seek regular bail before the concerned trial court which shall be considered on the same day on its own merit. The petitioner thereafter, surrendered on 18.12.2024.



4. The prosecution case as per the First Information Report is that six accused persons including the present petitioner surrounded the informant's husband and hurled abuses and co-accused Tunna Yadav fired at the husband of the informant Manoj Mandal owing to which, he died. There is a further allegation that Bimlesh Yadav who is the present petitioner, fired at the son and brother-in-law of the informant. However, they fled away and saved themselves.

5. Learned counsel for the petitioner submits that it would be apparent from the FIR itself that the allegation of firing upon the husband of the informant Manoj Mandal is specific on co-accused Tunna Yadav and there is no allegation of either opening fire or any kind of assault by the petitioner on the said deceased Manoj Mandal. So far as the allegation upon the petitioner with regard to opening fire on the Sangam Kumar and Subodh Mandal is concerned, there is no injury on these persons. Further, it has also been pointed out that there is a delay of two days in lodging of the FIR and the petitioner has himself surrendered and is in custody since 18.12.2024, having no criminal antecedent. The charge-sheet has been submitted in the case and other co-accused persons of this case have also been granted anticipatory bail as well as regular bail.



6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. Taking into consideration the present facts and circumstances of 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 learned Judicial Magistrate 1st Class, Naugachia, Bhagalpur, in connection with Ismailpur P.S. Case No. 6 of 2024, subject to the further condition that:-

(i) The petitioner would appear physically before the learned Court concerned on each and every date till the charges are framed in this case and in case of absence on two consecutive dates without sufficient reasons, the learned Court concerned would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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