

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9744 of 2025

Arising Out of PS. Case No.-465 Year-2021 Thana- KHAIRA District- Jamui

Subhash Kumar @ Subhash Yadav S/O Mangal Yadav @ Mangar Yadav R/o -
Chaukitand, P.S - Khaira, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 22-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 153(A), 302, 504, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation in the First Information Report is that eight named accused persons and five unknown persons came variously armed to the house of the informant and surrounded the informant and his father. Further, it has been disclosed that four persons namely, Ram Yadav, Bharat Yadav, Rajesh Yadav and Shibu Yadav fired at the chest of the informant's father indiscriminately on the order of the petitioner and one Vijay Bhagat.



4. Learned counsel for the petitioner submits that it would be apparent from the First Information Report itself that there is general and omnibus allegation on four persons of having fired on the informant's father however, even the firearm injuries of the deceased do not support the said allegation of indiscriminate firing. So far as petitioner is concerned, the allegation against him is only with regard to being an order giver along with one Vijay Bhagat. It is also submitted that other co-accused persons, namely, Lalan Yadav, Bajo Yadav, Bharat Yadav and Bindeshwari Yadav were acquitted by the learned court below. The charge-sheet has been submitted in the present case and hence, there is no chance of tampering with the evidence. It has also been pointed out that two of the accused persons against whom the allegation is of firing have been granted bail vide orders dated 22.01.2025 passed in Cr. Misc. No. 87366 of 2024 and 19.05.2025 passed in Cr. Misc. No. 19511 of 2025. The petitioner is in custody since 22.10.2024.

5. Learned APP for the State has opposed the application for bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be enlarged 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 court below where the case is pending/successor court in connection with Khaira P.S. Case No. 465 of 2021.

(Soni Shrivastava, J)

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