

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11162 of 2025**

Arising Out of PS. Case No.-519 Year-2024 Thana- DHANARUA District- Patna

Lala Yadav

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Singh, Adv
Mr.Dewanand Tiwari, Adv
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP
Mr. Pramod Kumar Yadav, Adv
Mr. Sunil Kumar, Adv

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Dhanarua P.S Case No. 519 of 2024 registered for the offences
punishable under Sections 126(2), 118(1)(2), 109(1), 103(1),
325, 3(5) of the BNS and Section 27 of the Arms Act.

3. As per prosecution case informant along with his
father Nawal Prasad and Munna Prasad were returning with
their Buffalo at about 06:30 pm, as they reached near Sewti
School, four persons on two bikes arrived. On one bike, there
was Bobby and Bipul and on second bike there was Rakesh
Kumar and one unknown miscreant who has covered his fact



with Gamcha. It is also alleged that Rakesh Kumar fired at the informant's father Nawal Prasad and bullet hit upon his Kanpatti who fell down, and thereafter, this Bobby Kumar and Bipul assaulted with knife on the thigh. It is further alleged that Rakesh again fired and Bipul also fired at Munna (the uncle of the informant) which hit the buffalo which also died. The informant and his uncle escaped anyhow

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner's name has been surfaced on basis of confessional statement of co-accused Deepu Kumar. From perusal of the FIR, it is clear that there are two eye witnesses of the occurrence. He further submits that charge sheet has already been submitted on 31.11.2024. He next submits that petitioner is in judicial custody since 13.09.2024 having clean antecedent. He further submits that other co-accused person has been granted bail vide order dated 06.02.2025 passed in Cr. Misc. No. 84014 of 2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 06.01.2025 and the case diary, it appears that petitioner's name



has been figured on the basis of confession, and moreover, there was no eye witness to this case and other co-accused persons have been granted bail by the co-ordinate Bench of this Court, and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Masaurhi in connection with Dhanaraua P.S. Case No. 519 of 2024.

(Ramesh Chand Malviya, J)

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