

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10381 of 2025**

Arising Out of PS. Case No.-625 Year-2022 Thana- GOPALPUR District- Bhagalpur

Suman Yadav @ Suman Kumar Yadav S/o Late Tuno Yadav @ Tunna Yadav
R/o Village- Bhawanipur, PS- Rangra, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**WITH
CRIMINAL MISCELLANEOUS No. 11161 of 2025**

Arising Out of PS. Case No.-625 Year-2022 Thana- GOPALPUR District- Bhagalpur

Rajesh Yadav Son of Late Bhola Yadav, Resident of Village- Bhawanipur, Ps-
Rangra, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 10381 of 2025)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 11161 of 2025)

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

4 09-05-2025 Heard Learned Senior Counsel for the petitioners and
Learned APP for the State.

2. The present criminal miscellaneous applications
have been filed under Sections 483 and 484 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the
BNSS, 2023’) for grant of regular bail to the petitioners who are



in custody in connection with Sessions Trial No.794 of 2024, arising out of Gopalpur (Rangra) P.S. Case No. 625 of 2022, lodged on 14.12.2022, under Section 302/34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. Earlier prayer for bail of the petitioners was rejected vide order dated 20.07.2024 passed in Cr. Misc. No.41579 of 2024 and vide order dated 05.03.2024 passed in Cr. Misc. No.81819.

4. Learned Senior Counsel for the petitioners submits that at the time of rejection of the bail it has been observed that no act or overt act had been done by the petitioner of Cr. Misc. No.381 of 2025. Learned Senior Counsel submits that report was called for.

5. Upon perusal of the report it transpires that two witnesses have been examined out of nine and both have turned hostile.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is direct allegation of assault against petitioner Rajesh Yadav and this aspect may be taken into consideration while granting bail.

7. Considering the fact that there is direct allegation of firing against petitioner Rajesh Yadav, this Court is not inclined



to grant bail to him. Hence, the prayer for bail of petitioner Rajesh Yadav is hereby rejected.

8. In the present facts and circumstances of this case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional Sessions Judge-III, Naugachhiya, District- Bhagalpur, in connection with Gopalpur (Rangra) P.S. Case No. 625 of 2022, subject to the conditions as laid down U/s 480(3) of the BNSS, 2023.

(Dr. Anshuman, J)

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