

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16166 of 2025

Arising Out of PS. Case No.-760 Year-2023 Thana- KHAGARIA District- Khagaria

Rahul Yadav Son of Late Raja Yadav Resident of Village- Gangia, P.S.-
Gangaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Khagaria (Gangaur) P.S. Case No. 760 of 2023, instituted for the offences punishable under Sections 447, 307, 504, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, while the informant was asleep, six accused persons including the petitioner came to her house, abused and resorted to indiscriminate firing, evidence of which can be found on the walls of her house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case as being brother of co-accused, namely, Rohit Yadav. It is next submitted that the petitioner was not present at the place of occurrence. No specific allegation has been attributed against the petitioner, rather the same is general and omnibus in nature. The petitioner is in custody since 04.01.2025 and has got four criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 18.04.2024 passed in Cr. Misc. No. 6664 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khagaria (Gangaur) P.S. Case No. 760 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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