

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16527 of 2025

Arising Out of PS. Case No.-72 Year-2024 Thana- MAIGRA District- Gaya

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Raja Yadav S/O Late Babui Yadav R/O Vill.- Harni, P.S.- Maigra, Dist.- Gaya.
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Singh, Advocate
For the Informant	:	Mr. Niraj Kumar, Advocate
For the Opposite Party/s	:	Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

7 23-06-2025 Head learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 117(2), 109 and 3(5) of the B.N.S. Act and Section 25(1-B)(a), 26 and 27 of the Arms Act to which Section 103 of B.N.S was added subsequently.

3. As per FIR, allegation against the petitioner is that he along with other co-accused persons armed with Lathi, Danda, Iron Rod & Firearms brutally assaulted the informant and his family members due to which all victims have sustained multiple injuries over the vital and non-vital parts of their bodies. It is further alleged that on the orders of Narayan Yadav, Raja Yadav (petitioner) and Lalbir Yadav, Gaurav Kumar fired from his pistol which hit the leg of Dwarika Yadav causing



injury.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. There is no specific overt act against the petitioner rather the allegation is general and omnibus in nature. There is case and counter case between both the parties. It has further been submitted that co-accused Shambhu Yadav has been enlarged on bail vide order dated 16.05.2025 passed in Cr. Misc. No. 31517 of 2025 by this Court. It has lastly been submitted that the petitioner has antecedent of nine cases and in all cases he is on bail and he is in custody since 25.10.2024.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail. Learned counsel for the informant has stated that on the orders of this petitioner, co-accused Gaurav Kumar had fired from his pistol which hit the leg of Dwarika Yadav causing injury.

7. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody and the fact that similarly situated co-accused Shambhu Yadav has already been enlarged on bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned court below where the case is pending /concerned court, in connection with Maigra P.S. Case No. 72 of 2024 subject to the conditions that

a. One of the bailors of the petitioner shall be her close relative.

b. The petitioner shall remain physically present in Court on each date of the trial.

c In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

d And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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