

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19553 of 2025

Arising Out of PS. Case No.-129 Year-2023 Thana- FULKAHA District- Araria

Vikash Kumar Yadav @ Vikash Yadav @ Vikash Kr. Yadav son of Yogendra
Yadav village- Madhura Uttar, Ward no. 03, Ps- Fulkaha, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 13-08-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Fulkaha Police Station Case No. 129 of 2023, dated 22.09.2023, disclosing offences punishable under Sections 147/149/341/323/307/504/506/302/120-B of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that while the mentally challenged son of the informant was returning home from grazing his buffalo, the petitioner along with other co-accused persons surrounded him, abused him, assaulted him with fists and slaps and fled away after threatening to shot him. It has been alleged that when the informant, his son, Lalit Kumar Yadav, and co-villagers, went to the house of



accused persons, the accused persons, including the petitioner, abused them and an altercation took place between them and in the meantime, one of the co-accused, Rajesh Kumar Yadav, came there with pistol in his hand and fired, which hit the son of the informant, Lalit Kumar Yadav, in his left chest. The son of the informant, namely, Lalit Kumar Yadav, later on died during course of treatment.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to village politics. He further submits that the allegation against the petitioner is general and omnibus in nature and the only specific allegation of causing fire arm injury to the deceased is upon co-accused Rajesh Kumar Yadav. He further submits that similarly situated co-accused persons, namely, Rajendra Yadav (vide order, dated 18.01.2025, passed in Criminal Misc. No. 68740 of 2024) and Sudin Yadav (vide order, dated 19.04.2025, passed in Criminal Misc. No. 12927 of 2025) have been granted bail by different co-ordinate benches of this Court.
5. Regards being had to the submissions advanced on behalf



of the parties and taking into consideration the fact that the allegation against the petitioner is general and omnibus in nature, the specific allegation of causing fire arm injury upon the deceased is against co-accused Rajesh Kumar Yadav and similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 learned Chief Judicial Magistrate, Araria, in connection with Fulkaha Police Station Case No. 129 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

