

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29322 of 2025

Arising Out of PS. Case No.-534 Year-2024 Thana- ARA NAWADA District- Bhojpur

Raushan Yadav, aged about 20 years, Gender-Male, S/o Dharmendra Yadav,
Resident of Village-Bahiro, P.S.-Ara, District-Bhojpur, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mrs. Vaishnavi Singh, Advocate, Mr. Ritwik Thakur, Advocate and Mr. Uday Pratap Singh, Advocate
For the Informant	:	Mr. Ravindra Kumar, Advocate and Mr. Shrmath, Advocate
For the Opposite Party	:	Mr. Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 27-08-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Ara Nawada P.S. Case No. 534 of 2024 dated 21.07.2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 127(1), 115(2), 109, 352, 351(3) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, on 20.07.2024 at about 8.30 P.M., the informant Abhishek Kumar Singh (deceased) alongwith his friends Arjun Kumar Singh and Aadarsh Kumar were returning after the walk and as soon as they reached near the Mango Orchard of Vir Singh, his villagers Raushan Yadav



(petitioner), Golu Yadav, Bhulan Yadav, Bittu Yadav, Pankhuri Yadav and 4-5 unknown persons were present there. It is further alleged that as soon as they reached near the orchard, Raushan Yadav (petitioner) pointed his pistol on the informant's chest and told him that they used to give information to the police station about the selling of liquor by them. Thereafter, the co-accused Golu Yadav started firing which hit below the right chest and below the shoulder of the informant and Raushan Yadav (petitioner) started firing indiscriminately which hit below the ribs of Arjun Singh and another bullet hit below the right back of the informant. The co-accused Bittu Yadav assaulted with the butt of the pistol on the head and temporal of Aadarsh, the co-accused Pankhuri Yadav also fired indiscriminately on the informant and others. The informant and his two friends fell down on the ground and all the accused persons started firing indiscriminately by saying that they would kill all his family members. On hearing sound of firing, nearby people assembled there, thereafter, the accused persons fled away from there. The accused persons became unconscious. It is further alleged that when the informant gained consciousness, he found himself in 'Shanti Memorial Hospital' where the treatment of Arjun Kumar is also going on. It is further alleged



that the relative of the informant told the informant that he alongwith Arjun Singh were brought to the hospital by the villagers. Aadarsh Kumar was being treated in Sadar Hospital, Arrah.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that from perusal of the F.I.R., and the statements of the informant (deceased) and several other witnesses recorded during the course of investigation, it is evident that the allegation against the petitioner is that he fired two shots on Arjun Singh, one of which, hit below his ribs while the other struck him on the lower right side of his back. There is no specific allegation of firing on the informant Abhishek Kumar Singh (deceased). It is further submitted that the further statement of the informant, Abhishek Kumar Singh (deceased) was recorded which is in paragraph no. 5 of the case diary, in which he has stated that the co-accused Golu Yadav fired on him and the petitioner fired on Arjun Singh. It is further submitted that after investigation, police has submitted charge sheet on 22.09.2024. The petitioner has two criminal antecedents as stated in paragraph no. 3 of the bail petition as well as in paragraph no. 3 of the supplementary affidavit filed on behalf of



the petitioner. The petitioner is in custody in this case since 24.07.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and have submitted that the petitioner is named in the F.I.R. Learned counsel for the informant has further submitted that the statement of Arjun Singh was recorded which is in paragraph no. 94 of the case diary in which he has stated that the petitioner fired on the informant Abhishek Kumar Singh (deceased), due to which, he received injury.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII, Bhojpur, Ara in connection with Ara Nawada P.S. Case No. 534 of 2024 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are



liable to be cancelled.

II. The petitioner is directed to co-operate in the trial and on failing which the prosecution will be at liberty to file an application for cancellation of bail bond of the petitioner.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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