

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27763 of 2025

Arising Out of PS. Case No.-2 Year-2014 Thana- MALI District- Aurangabad

Shailesh Yadav Son of Late Sumer Yadav Resident of Village - Bel-Bigha,
P.S.- Mali, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Singh, Adv.

For the Opposite Party/s : Mr.Lalan Kumar, APP

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

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mali
P.S. Case No. 2 of 2014 instituted for the offences under
Sections 379, 341, 323, 325, 427, 452, 435 of the Indian Penal
Code and Section 17 of the C.L.A. Act.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of assaulting the
Informant and his younger brother as well as his cousin brother.
It is also alleged that the accused persons took kerosene oil from
the Informant's house and entire paddy kept in *Khalihaan* were
burnt to ash.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is son of co-accused Sumer Yadav who is the cousin brother of the Informant with whom he has land dispute. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner was also not present at the place of occurrence rather due to land dispute, the present false case has been instituted. The petitioner has one criminal antecedent and is languishing in judicial custody since 31.01.2025 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Sumer Yadav @ Ram Sumer Yadav has been granted bail by a Co-ordinate Bench of this Court vide order dated 27.07.2015 passed in Cr. Misc. No. 26300 of 2015.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mali P.S. Case No. 2 of 2014.

(Rudra Prakash Mishra, J)

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