

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28532 of 2025

Arising Out of PS. Case No.-149 Year-2024 Thana- MAHISHI District- Saharsa

Manoj Yadav S/o Rajo yadav R/o village- Rakhti, P.S.- Mahishi, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

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

2. Petitioner is in custody since 23.12.2024 in a case in connection with Mahishi P.S. Case No.149 of 2024 registered for an offence punishable under Sections 25(9),27 of the Arms Act

3. As per the prosecution case, the informant got information that on 29.05.2024 at about 11:45 P.M. some persons were continuously firing at a ceremony in Rakhti village, when police went there on 30.05.2024 at about 2:15 A.M. then after seeing the police party some persons were trying to flee away after which the present petitioner with another co-accused were apprehended. It is also alleged that



during the firing one lady, namely, Renu Devi got injured. On searching one Khokha was recovered and it is also alleged that after some time, some anti-social people attacked on police and took away both of them.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He next submits that there is no specific allegation against the petitioner rather there is specific allegation against one co-accused Shambhu Yadav who had himself admitted to have open harsh firing on the eve of the ceremony of his niece. He further submits that petitioner is under custody since 23.12.2024. He next submits that petitioner has got one criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the First Information Report and impugned order dated 10.03.2025, it appears that in this case the police has concluded the investigation and a supplementary chargesheet no.06 of 2025 has been submitted against the petitioner under Section 188, 290, 307 of the IPC and 25(9), 27 of the Arms Act. So, considering the aforesaid facts and circumstances of the case, submission of the learned counsel for



the petitioner as well as the fact there is no specific allegation against the petitioner, infact, the specific allegation is against the co-accused, Shambhu Yadav, let the above named petitioner be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Mahishi P.S. Case No.149 of 2024.

(Ramesh Chand Malviya, J)

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