

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27441 of 2025**

Arising Out of PS. Case No.-1 Year-2025 Thana- KATORIYA District- Banka

Mohril Kumar Yadav @ Mohril Kumar, aged about 22 years, (Male), S/O
Pramod Yadav, R/O Village- Targachha, P.S.- Katoriya, District- Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Y.C. Verma, Sr. Advocate and Mr. Brij Nandan Prasad, Advocate
For the Opposite Party	:	Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 23-07-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Katoriya P.S. Case No. 01 of 2025 dated 03.01.2025 registered for the offences punishable under Sections 118(2), 109(1) read with Section 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, the informant's son, namely, Munna Yadav, was running an Auto bearing its Registration No. JH 15W 7611 of R. K. Mission Vidhyapith in Deoghar since fifteen years. He was on leave for two days and the same day he was in his house and he was hired for going Radha Nagar on 02.01.2025 by Iron Shop. Thereafter, the



informant was informed that his son was lying on the road near Mochanavaran canal in unconscious condition. He was brought to the Referral Hospital, Katoriya with the help of the police and wherefrom he was referred to the Deoghar Hospital for his better treatment and wherefrom he was referred to Dhanbad.

4. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the F.I.R. has been registered against unknown and the petitioner is not named in the F.I.R. It is further submitted that there is general and omnibus allegation against the petitioner. There is no specific allegation of firing on the deceased against the petitioner. No incriminating article has been recovered from the possession of the petitioner. It is further submitted that the police took the petitioner in judicial custody only on the basis of suspicion and then his confessional statement was recorded by the police showing his involvement in the alleged offence, which has got no evidentiary value in the eyes of law. It is further submitted that from perusal of paragraph no. 14 of the case diary, it appears that most of the calls which were made on the mobile number of the deceased were of the own relatives of the deceased except one call bearing Mobile No. 8276834794



which was in the name of one Sushila Devi, Kolkatta which is mentioned in paragraph no. 22 of the case diary. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 07.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner and has further submitted that although the petitioner is not named in the F.I.R., but the petitioner in his confessional statement which is in paragraph no. 34 of the case diary, has confessed that due to liquor dispute, he fired from the country pistol of Manoj on the deceased and he removed two sim cards from his mobile phone, one sim card was in his name and another fake sim card was in the name of Sushila Devi, Kolkatta. Learned A.P.P. for the State has further submitted that from perusal of paragraph no. 22 of the case diary, it appears that the petitioner was prima facie involved in the alleged offence, wherein the deceased sustained bullet injury. The injury report of RIMS, Ranchi shows gun shot injury on the occipital region of the deceased Munna Kumar Yadav where he died during the course of treatment.

6. Considering the aforesaid facts and circumstances of the case and the accusation against the petitioner, this Court is



not inclined to grant bail to the petitioner and the same is rejected in connection with Katoriya P.S. Case No. 01 of 2025, pending in the court of learned C.J.M., Banka.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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