

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31247 of 2025

Arising Out of PS. Case No.-108 Year-2024 Thana- KHIRI MORE District- Patna

Ashok Yadav, S/o- Chandeshwar Yadav, R/o Village- Regniya Dih, P.S.-
Singori, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Purushotam Sharma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-05-2025 Heard Mr. Purushotam Sharma, learned counsel for
the petitioner and Mr. Ashok Kumar Singh, learned APP for
the State.

2. The petitioner has prayed for bail in connection
with Khirimore P.S. Case No. 108 of 2024 registered for the
offence punishable under Sections 302, 201, 120(B) and 34 of
the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that the informant's
husband Ganesh Yadav was shot dead by unknown miscreants
when he was returning from Reganiya Dih Balu Ghat to his
home in the night and as per the written report of Malti Devi,
the F.I.R. was instituted.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this



case. It has further been submitted that in this case the name of this petitioner has surfaced due to confessional statement of co-accused and this petitioner has also confessed. Learned counsel for the petitioner has brought to the notice that the order of the trial court wherein trial court has held that the witnesses in the case diary have supported the prosecution version. It further transpires on the basis of C.D.R. and C.A.F. that the tower location of two mobile numbers belonging to Uditya Kumar and Dhilu Kumar were found at the location where the deceased was present. In later part, learned trial court has discussed the confessions made by the different accused persons. The learned trial court has further recorded that in his confessional statement the petitioner Ashok Yadav confessed his involvement in the alleged occurrence of the case and stated that he assaulted with the handle of a pistol on the head of the deceased Ganesh Yadav and then Aditya Kumar shot at him and he fell on the ground. If the confessional statement of the petitioner is taken to be as a gospel truth then also the only allegation is that he has assaulted with the handle of the pistol on the head of the deceased. As per confessional statement of this petitioner, Aditya Kmar shot at him due to which the deceased died. Learned counsel for the petitioner has also submitted that there is nothing except the



confessional statement. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 04.02.2025.

5. The application for bail is vehemently opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Danapur in connection with Khirimore P.S. Case No. 108 of 2024.

(Ashok Kumar Pandey, J)

lata/-

U		T	
---	--	---	--

