

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34256 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- SALAKHUA District- Saharsa

Phudo Yadav S/o Satish Yadav R/o vill - Goshpur, P.S.- Salkhua, Distt.-
Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2025 Heard the parties.

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Salkhua P.S. Case No. 216 of 2024 registered for the offences punishable under Sections 126(2), 191(2), 191(3), 115(2), 118(1), 303(2), 103(1), 352, 351(2) of BNS (Corresponding sections 341, 147, 148, 149, 323, 324, 379, 302, 504, 506 of IPC) and Section 27 of Arms Act.

3. As per FIR, 8 named accused persons including petitioner committed murder of the brother of the informant where the allegation of fatal firing is available against Ajit Kumar and Gaurav Kumar and



allegation as to give order is available against Lakhan Yadav.

4. It is submitted by learned counsel appearing on behalf of the petitioner that occurrence took place out of financial disputes, which is apparent from the FIR itself. It is submitted that petitioner implicated only being family members of the named co-accused persons. It is submitted that no overt act is available against petitioner. It is submitted that in view of FIR allegation of giving order is available against co-accused Lakhan Yadav whereas allegation of firing is also available against Gaurav Kumar, which was misfired, but it was the co-accused Ajit Kumar who specifically open fired upon the brother of informant causing his death. Petitioner said to be a man of clean antecedent.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as the face of FIR *prima-facie* not suggest any overt act against petitioner rather allegation



of fatal firing is specifically available against the named co-accused Ajit Kumar, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st Class , Saharsa /concerned Court, where the case is pending in connection with Salkhua P.S. Case No. 216 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

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

