

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34568 of 2025

Arising Out of PS. Case No.-373 Year-2024 Thana- BIHTA District- Patna

Rahul Yadav @ Rahul Kumar S/o Sunil Ray @ Bhola Yadav R/o Vill-
Narainpur, P.S.- Bihta, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Thakur, Advocate

For the State : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-08-2025 Heard Mr. Ajay Thakur, learned counsel for the

petitioner and Mr. Ram Bilash Roy Raman, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
07.02.2025, in connection with Bihta P.S. Case No. 373 of 2024,
F.I.R. dated 19.04.2024 registered for the offences punishable
under Sections 307, 34 of the Indian Penal Code and Section 27
of the Arms Act.

3. Allegation against the petitioner is that he shot at
the back of the informant due to which he sustained bullet
injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R.



itself that due to admitted land dispute the present occurrence had taken place and as per allegation in the F.I.R. the petitioner has fired upon the informant on his back side. Learned counsel for the petitioner further submits that it appears from the F.I.R. that the date of occurrence as alleged in the F.I.R. is 30.03.2024 but the present F.I.R. was instituted on 19.04.2024 after delay of about 20 days without giving any explanation of delay afterthough only to falsely implicate the petitioner. Learned counsel for the petitioner further submits that it has come during investigation in paragraph nos. 9 and 16 of the case diary by the Bindeshwar Ram and Lala Singh @ Naresh Singh stated that the informant has not informed them that who has fired upon him. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 07.02.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner in the F.I.R. and apart from that the same is supported by the medical evidence and also petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the supplementary affidavit that in



one case the petitioner is on police bail and in another case police has submitted final form against the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Danapur, Patna in connection with Bihta P.S. Case No. 373 of 2024, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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