

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35657 of 2025**

Arising Out of PS. Case No.-246 Year-2024 Thana- BHARGAMA District- Araria

1. Ajay Yadav @ Ajay Kumar Yadav Bhupendra Yadav @ Bhaiyalal Yadav
Village- Pothiya Gamhariya Tola Paikpaar, Ward No. 7, PS- Bhargama,
District- Araria
2. Vijay Yadav @ Ranvijay Yadav S/o Bhupendra Yadav @ Bhaiyalal Yadav
Village- Pothiya Gamhariya Tola Paikpaar, Ward No. 7, PS- Bhargama,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar, Adv.

For the Opposite Party/s : Mr.Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-06-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Bhargama P.S. Case No. 246 of 2024 dated 13.08.2024 registered for the offences punishable u/ss 191(2), 191(3), 190, 109, 103(1), 331(4), 305, 76 and 61(2) of the B.N.S. and Section 7 of the Arms Act.

3. As per the prosecution case, on 21.08.2024 at 1.00 A.M., when the informant and his family members were sleeping, he woke up on the noise of tractor and the motorcycle and came out where he saw the petitioners and the other accused persons along with 25-30 unknown persons armed with deadly weapons were sitting on the motorcycle, tractor and trailer. On seeing the informant, the co-accused, Bhupendra Yadav ordered his associates to surround



the house and kill all the members of the family upon which the accused persons started indiscriminate firing. When the informant's mother came out hearing the sound of firing, the co-accused, Sanjay Yadav fired on her causing injury and she fell down. After hearing the sound of firing, the informant's uncle Parmanand Yadav also came out and the co-accused, Bhupendra Yadav ordered to kill him then the petitioners started indiscriminate firing which hit the informant's uncle as a result of which he died on the spot. It is further alleged that the other accused persons entered the house and committed loot by breaking trunk and valuable articles, papers related to the land and utensils, gold worth Rs. 95,000/- and Rs. 4 lakhs, silver ornaments worth Rs. 16,000/-, Rs. 2,32,000/- in cash and also assaulted with fist and slaps to the family members. The co-accused, Bablu Yadav, Arjun Yadav and Pandav Yadav outraged the modesty of the informant's wife. When the informant came to rescue her, the co-accused, Vikash Yadav fired with country made pistol but he luckily got saved and all the accused persons had committed the occurrence with the intention to commit murder and loot and fled away leaving behind two motorcycles, tractor and trailer.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is a land dispute between the parties. Learned counsel has further submitted that the petitioners filed a complaint case No. 61C/2014 against the informant party and due to this reason, the



petitioners along with their family members and the witnesses of the complaint case have been made accused in the present case. It is further submitted that there is no allegation of theft and loot against the petitioners and as such no case u/s 305 B.N.S. is made against them. The petitioners have no concern with the alleged offence. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 03.03.2025.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners and submitted that as per the F.I.R., the specific allegation against the petitioners is that they fired indiscriminately on the informant's uncle which hit him as a result of which he died on the spot.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioners, I am not inclined to enlarge the petitioners above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

Gautam/-

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

