

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38427 of 2025

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

1. Bindeshwari Yadav son of Late Bachcha Lal Yadav Resident of village - Paikpar Tola Pothiya Ward No. 02, Ps- Bhargama, Dist- Araria
2. Vikash @ Vikash Yadav @ Nirmal Kumar Son of Bindeshwari Yadav Resident of village - Paikpar Tola Pothiya Ward No. 02, Ps- Bhargama, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Rana, Adv.
For the State	:	Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 109, 103(1), 331(4), 305, 76 and 61(2) of the B.N.S. and Section 27 of the Arms Act.

3. The prosecution as disclosed in the FIR is that ten accused persons including the present petitioners along with 25-30 unknown persons came variously armed to the house of the informant and accused Sanjay Yadav fired with his double barrel gun on the mother of the informant which hit her on the right arm. It has further been alleged that on the order of co-accused



Bhupendra Yadav, co-accused Ajay Yadav and Vijay Yadav fired upon Parmanand Yadav who died on the spot. It has further been alleged that when the informant intervened in the matter, it is alleged that Vikash Yadav (petitioner no.2) also fired by means of a country made pistol which passed by him.

4. Learned counsel for the petitioners submit that it would be apparent from the FIR itself that the specific allegation of firing upon the deceased Parmanand Yadav is on co-accused Ajay Yadav and Vijay Yadav on the order of co-accused Bhupendra Yadav. There is a further allegation of firing on Sanjay Yadav which hit the mother of the informant. So far as petitioner no.1 is concerned, there is no specific allegation against him, however, against petitioner no.2, there is an allegation of firing upon the informant which did not hit him. It is further submitted that the petitioners have been languishing in custody since 03.03.2025 with no criminal antecedent. It is also pointed by learned counsel for the petitioners that two other accused persons have already been granted bail vide orders dated 24.02.2025 and 20.05.2025 passed in Cr. Misc. No. 79217 of 2024 and Cr. Misc. No. 32503 of 2025, respectively.

5. Learned APP for the State, however, opposes the



prayer for regular bail.

6. Taking into consideration the fact that two other accused persons have already been granted bail, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bhargama P.S. Case No.246 of 2024.

(Soni Shrivastava, J)

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