

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41502 of 2025

Arising Out of PS. Case No.-531 Year-2023 Thana- RAJAON District- Banka

1. Tuntun Yadav S/o Babloo Yadav Village- Shyampur Ghutiya, PS- Rajoun, District- Banka
2. Kanbalia Yadav @ Kanbali Yadav @ Nitish Kumar S/o Deghar Yadav Village- Shyampur Ghutiya, PS- Rajoun, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad, Adv.

For the Opposite Party/s : Mr.Anant Kumar I, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Rajoun P.S. Case No.531 of 2023, registered for the offences under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, some altercation took place between the informant and the petitioners and other co-accused persons and co-accused Kaju Yadav fired upon the informant and shot her on her thigh.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case. There is no specific allegation against the petitioners for causing any injury and only allegation is that of entering into of altercation as is evident from the FIR. There is no allegation of any overt act against the petitioners. Learned counsel further submits that similarly situated co-accused Mithun Yadav has been granted bail by this Court vide order dated 05.10.2024 passed in Cr. Misc. No. 66736 of 2024. The petitioner no. 1 does not have any criminal antecedent whereas petitioner no. 2 is having criminal antecedent of three cases. The petitioners are in custody since 18.02.2025 and charge sheet has been submitted.

5. The learned APP vehemently opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that there is no allegation of any overt act against the petitioners and further considering the possibility of false accusation, let the petitioners is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Rajoun P.S. Case No. 531 of 2023, subject to the condition laid down under Section 480(3) of the B.N.S.S



and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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