

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40147 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

1. Vinod Yadav @ Binod Yadav Son of Chandrama Singh @ Late Chandrama Yadav R/V- Raghunipur, PS- Udwanthnagar, Distt.- Bhojpur
2. Jaj Yadav Son of Late Lalan Singh R/V- Raghunipur, PS- Udwanthnagar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-08-2025 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 Udwanthnagar P.S. Case No. 130 of 2024 dated 02.04.2024 registered for the offences punishable u/s 353, 307 read with 34 of the I.P.C., and Sections 25(1-B)(a), 26, 27, 35 of the Arms Act.

3. As per the prosecution case, on 02.04.2024 at about 7:40 A.M., the informant received an information that in Village-Raghunipur two persons namely, Ramadhar Singh and Mukesh Yadav were killed by some unknown assailants. For verification, the informant along with his police personnel



reached the place of occurrence. On query, the villagers disclosed that the assailants were carrying rifle and gun and ran towards west. Further, the informant along with his team proceeded towards west and found that two persons were carrying arms in their hands. The informant asked them to stop but the accused did not stop and started firing upon the informant and his team. In order to stop them the police fired in the air due to which out of three accused persons two were injured and one of them managed to flee. The two injured accused persons were arrested by the police and on being searched, double barrel gun having two empty cartridges and two live cartridges(from right pocket) and four live cartridges (from left pocket) were recovered from possession of the Petitioner No. 1 *Vinod Yadav* and five empty cartridges were lying on the ground. From possession of the Petitioner No. 2 *Jaj Yadav* one rifle having one empty cartridge was recovered and 25 live cartridges were recovered from his bag.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the possession of the petitioners. The petitioners have no concern with the alleged occurrence. Earlier the regular bail of the



petitioners have been rejected by this court vide order dated 24.02.2025 passed in Cr. Misc. No. 2299 of 2025. The petitioner no. 1 has five antecedents whereas the petitioner no. 2 has two antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 16.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners by submitting that the allegation of firing on the informant and police personnel is against the petitioners. As per the case diary, all the witnesses have supported the case of the prosecution. In addition to this the recovery of arms and cartridges were made from the conscious possession of the petitioners which shows the active participation of the petitioners to kill the deceased namely *Ramdhar Singh and Mukesh Yadav*.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur at Ara, in connection with Udwanthnagar P.S. Case No. 130 of 2024, with the condition:-

(i). The petitioners are directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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