

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42712 of 2025

Arising Out of PS. Case No.-114 Year-2024 Thana- DHANGAI District- Gaya

Chhotu Yadav @ Patanga @ Patangar @ Patgar, aged about 34 years, Male,
S/O Late Dilchand Yadav, Resident of village- Garavaiyaa, Tola- Rogniya
Tand, P.S- Barachatti, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Yogesh Kumar, Advocate
For the Informant	:	Mr. Praveen Kumar, Advocate
For the State	:	Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 28-07-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Dhangai P.S. Case No. 114 of 2024 dated 24.11.2024 registered
for the offences punishable under Sections 191(2), 191(3), 190,
126(2), 127(2), 109, 118(2), 352, 351(2), 351(3) of the B.N.S.,
2023 and Section 27 of the Arms Act. Later on, Section 103(1)
of the B.N.S., 2023 was also added.

3. As per the prosecution case, the husband of the
informant had planted two thousand trees under 'Manrega
Scheme' and same is being looked after by him personally. It is
further alleged that on 23.11.2024 at about 7.00 A.M., the



husband of the informant went for watching the said plants and when he did not return till 10.00 A.M., then she came on the spot with meal and saw that her husband is watering the plant and one person is looking after her husband and when she inquired about him then her husband disclosed his name as Parshuram Yadav and thereafter asked her husband to have meal upon this, he asked to wait for some time. It is further alleged that after sometime, she heard a sound of bullet and saw several persons were running towards her husband and when they reached near her husband she saw her husband is badly injured by firearms injuries and then she started screaming then the co-accused Manoj Yadav, Pramod Yadav, Sanjay Yadav, Ajay Yadav, Ravi Paswan, Chhotu Yadav (petitioner), Gautam Yadav and four-five unknown persons armed with pistol and by giving threatening fled away and thereafter with the help of the villagers her husband was brought to the hospital.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the deceased (Vikash Kumar) was an accused in Barachatti P.S. Case No. 866 of 2023 for committing murder of the son of one of the co-accused Parshuram Yadav of the present case in which the petitioner is



an eye witness and when the other co-accused persons of that case came to know that this petitioner would give his deposition in the said case, they threatened the petitioner for dire consequences for which the wife of the petitioner has lodged Barachatti P.S. Case No. 231 of 2024. There is general and omnibus allegation against the petitioner. No incriminating article has been recovered from the possession of the petitioner. The charge sheet has already been submitted against the petitioner. The alleged occurrence took place on 23.11.2024 as to when the F.I.R., has been lodged on 24.11.2024 and for the delay in lodging the F.I.R., no explanation has been given by the prosecution. The informant is not an eye witness to the alleged offence. The petitioner has four criminal antecedents and in three cases, he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 25.11.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has further submitted that the informant is an eye witness to the alleged offence.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above



named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Sherghati, Gaya in connection with Dhangai P.S. Case No. 114 of 2024 with further conditions:-

(I) The petitioner is 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 petitioner are liable to be cancelled.

II. The petitioner is directed to co-operate in the trial.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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