

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44417 of 2025

Arising Out of PS. Case No.-383 Year-2024 Thana- RANIGANJ District- Araria

Ashish Kumar Yadav @ Ashish Yadav S/o Ramchandra Singh @ Ramcahndra
Yadav @ Ramachandar Singh R/o Vill - Brahara, Indarpur, Ward No. 14, P.S.-
Raniganj, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Naushaduzzoha, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 21-07-2025 Heard Mr. Md Naushaduzzoha, learned counsel for the

Petitioner and Mr. Prem Kumar Jha, learned APP for the State.

2. Petitioner seeks regular bail in connection with S.T.
No. 17 of 2025 arising out of Raniganj P.S. Case No. 383 of 2024
dated 23.08.2024 registered for the offences punishable under
Sections 103(1) and 61(2) of the Bharatiya Nayaya Sanhita, 2023
(in short 'B.N.S') and Section 27 of the Arms Act.

3. The main submissions advanced by petitioner's
counsel are that the petitioner is not named in the FIR, his name
surfaced as being involved in the commission of the alleged
murder in the statement of co-accused Md. Imdadullah @
Imdadullah @ Imdad who has been granted bail by the learned
co-ordinate Bench of this Court vide order dated 21.02.2025
passed in Cr. Misc. No. 274 of 2025 and the case of this



petitioner stands on better footing from him. It is further submitted that one co-accused person namely, Md. Umar Alam @ Mohammad Umar Alam has been granted regular bail by the learned co-ordinate Bench of this Court vide order dated 28.02.2025 passed in Cr. Misc. No. 81357 of 2024 and two more co-accused persons namely, Vikash Mehta @ Vikash Kumar Mehta and Md. Shaif Ali @ Md. Saif Ali have been granted anticipatory bail by the learned co-ordinate Bench of this Court vide orders dated 05.12.2024 and 17.01.2025 passed in Cr. Misc. Nos. 79953 of 2024 and 88898 of 2024 respectively. It is lastly submitted that the petitioner has been languishing in jail since 25.08.2024 and against him, the investigation has been completed and except the confessional statement of co-accused Md. Imdadullah @ Imdadullah @ Imdad, there is no material against this petitioner, so, he is undergoing custody for a long period mainly on the basis of inadmissible evidence and further, he has no reason or motive to be involved with the named co-accused persons in the killing of the deceased as he had no any kind of enmity with the prosecution party, though, against this petitioner, there are criminal antecedents of two cases but the said cases relate to different nature of offences.



4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Considering the aforesaid submissions and mainly petitioner's plea as to being no admissible evidence against him except the confessional statement of co-accused Md. Imdadullah @ Imdadullah @ Imdad allegedly showing his involvement in the alleged crime which has not been refuted by learned APP and also coupled with the petitioner's custody period and grant of bail to several co-accused persons mentioned above, this Court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above 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 the concerned Court in connection with S.T. No. 17 of 2025 arising out of Raniganj P.S. Case No. 383 of 2024.

(Shailendra Singh, J)

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