

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46059 of 2025

Arising Out of PS. Case No.-701 Year-2023 Thana- FATUA District- Patna

Sudhir Kumar @ Sudhir Yadav S/o Late Mahendra Yadav @ Mahendra Gop
R/o Village- Surangaper, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Anand Mr. Kaushal Kumar Mr. Roop Kishan
For the Opposite Party/s :		Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 29-08-2025 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in Fatuha P. S. Case No. 701 of 2023 registered for the offences punishable under Sections 302, 34, 307 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of three cases and is in custody since 04.01.2025. It is further submitted that similarly situated co-accused Guddu Singh @ Premchandra @ Premchandra Singh had approached this Court seeking regular bail by filing Cr. Misc. No.47783 of 2024 and the



same was allowed by an order dated 05.10.2024, as such based on parity, the learned counsel appearing on behalf of the petitioner seeks bail for the petitioner.

4. It is further submitted that informant alleges that on 14.09.2023 at about 10.00 P.M. his thirteen named neighbours including the petitioner came variously armed and fired at his brother (Jay Singh), Shailesh and Muntus indiscriminately, on account of which, his brother and Shailesh died while Mintus was brought to the hospital in a serious condition where he is under treatment. It is next alleged that the reason for the occurrence is land dispute as the accused were forcing to leave their land despite partition having done.

5. The learned counsel further submits that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the occurrence is alleged to have taken place. It is submitted that no doubt, two persons died and Mintus was taken to the hospital in a serious condition, but then, from perusal of the allegation as alleged in the FIR, it would manifest that allegation of firing is not specific. It is also submitted that in



similar circumstance Guddu Singh @ Prermchandra @ Premchandra Singh was granted the privilege of regular bail. It is further submitted that Uma Shankar, Sonu and Deepak had also approached this Court seeking regular bail by filing Cr. Misc. No.40037 of 2024, Cr. Misc. No.40581 of 2024 and Cr. Misc. No.41067 of 2024 and all the three cases were taken up together by a learned Coordinate Bench and privilege of regular bail was granted to the accused persons by an order dated 18.09.2024.

6. Learned A.P.P. Sri Chandra Bhushan Prasad vehemently opposes the bail application of the petitioner and submits that case of this petitioner is not similar to the case of Guddu Singh @ Premchandra @ Premchandra Singh as Guddu Singh was granted the privilege of regular bail since he was a person with clean antecedent. It is next submitted that petitioner has antecedent of three cases and two cases are under the Arms Act and brother of the informant along with Shailesh died on account of receiving firearm injury and Mintus was brought to the hospital and even Mintus also died. It is next submitted that it appears that the petitioner has a criminal background and in the



event, if privilege of bail is granted to the petitioner, the petitioner may abscond.

7. Considering the submissions made by the learned A.P.P., the Court is not inclined to release the petitioner on bail.

8. The prayer of the petitioner for bail stands rejected.

(Satyavrat Verma, J)

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