

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44802 of 2025**

Arising Out of PS. Case No.-253 Year-2024 Thana- BAIRIYA District- West Champaran

Hira Yadav, S/o Late Sharvan Yadav, Resident of Village-Bhediharwa, P.S.-
Bairiya, Dist- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Bairiya P.S. Case No.253 of 2024 registered for the
offences punishable under Sections 103 read with 3(5) of the
Bhartiya Nyaya Sanhita (for short 'B.N.S.') and Section 27 of
the Arms Act.

3. The accused/petitioner is not named in the FIR
and is in custody since 15.04.2025.

4. As per FIR, named accused persons committed
murder of son of the informant along with other unknown



accused persons after calling him from home with assurance to return with him after half an hour.

5. It is submitted by learned counsel appearing for the petitioner that petitioner is not named in FIR and his name transpired during the course of investigation on the basis of confessional statement of co-accused namely, Umesh Yadav, who has been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.90276 of 2024 dated 08.04.2025. It is also submitted that the name of petitioner also transpired in confessional statement of co-accused Safayat Miya @ Safayat Ansari, who has also been granted bail by this Court thorough Cr. Misc. No.25608 of 2025 dated 29.07.2025. It is submitted that in furtherance of all these confessional statements, nothing incriminating recovered/surfaced during investigation as to connect petitioner *prima facie* with present occurrence of murder. It is further submitted that petitioner has not put on T.I.P. as yet. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering



with the evidence and moreover petitioner found involved in four criminal cases, where he is on bail and the criminal antecedent is one of the reasons for false implication of the petitioner with present crime in question.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of confessional statement of co-accused persons *prima facie* nothing incriminating appears during investigation as to connect petitioner with present crime in question, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 15.04.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, West Champaran, Bettiah/concerned court in connection with Bairiya P.S. Case No.253 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of



Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of
the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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