

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46121 of 2025

Arising Out of PS. Case No.-522 Year-2023 Thana- RAJAON District- Banka

Bibhash Yadav Son of Bateshwar Yadav Resident of village - Dayalpur, P.S.-
Rajoun, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Rajoun P.S. Case No. 522 of 2023, instituted for the offences punishable under Sections 341, 323, 307, 332, 337, 353, 147, 148, 149 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons fired gunshots on the police personnel and they also caused hurt to the government driver namely Pramod Kumar Yadav by the butt of the pistol.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. It is next submitted that there is no allegation of firing against the petitioner. The injury received by Pramod Kumar Yadav is found simple in nature. The petitioner is in custody since 25.04.2025 and has got four criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 27.09.2024 passed in Cr. Misc. No. 61677 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajoun P.S. Case No. 522 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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