

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47361 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- KORMA District- Sheikhpura

1. SUJEET KUMAR S/o- Shiv Nandan Prasad @ Shivan Yadav Resident of Village- Gagaur Police Station- Korma District- Sheikhpura
2. Shiv Nandan Prasad @ Shivan Yadav S/o- Suro Yadav Resident of Village- Gagaur Police Station- Korma District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-09-2025 Heard learned counsel appearing on behalf of the parties.

2. The petitioners seeks bail in connection with Korma P.S. Case No. 02 of 2025 registered for the offence under Sections 103/61 and 3(5) of BNS and 27 of Arms Act.

3. The petitioners are named in the F.I.R. and they are in custody since 08.04.2025.

4. As per FIR, named co-accused Ajit Kumar and Mannu Yadav open fire upon the husband of the informant leading his death where during the occurrence other named co-accused persons including petitioners were also gathered



over at the place of occurrence which is the house of the informant.

5. Learned counsel appearing on behalf of the petitioners submitted that specific allegation of firing is against the Ajit Kumar and Mannu Yadav as per FIR, whereas no overt act appears attributed against petitioners. It is submitted that considering these aspect, one of the learned Co-ordinate Bench of this Court granted bail to co-accused persons namely, Ramjanam Yadav @ Ram Janam Kumar and Rajaram Yadav through Cr. Misc. No. 28347 of 2025 through order dated 06.08.2025. It is submitted that case of petitioner is on similar footing of these two co-accused persons and, therefore, on the ground of parity petitioners also deserves bail. While concluding the argument, it is submitted that petitioners are men of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by



taking note of fact as *prima-facie* no overt act appears attributed to above-named petitioners, during the occurrence, where the allegation of firing, causing death of the husband of the informant is specifically available against other co-accused persons, who are not the petitioners, coupled with fact that investigation of this case already completed where petitioners remains in custody since 08.04.2025, accordingly let both petitioners, above named, are directed to be released on bail in connection with Korma P.S. Case No. 02 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of learned JM 1st Class, Sheikhpura /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C /Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

U		T	
---	--	---	--

