

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48335 of 2025

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

Sanjay Yadav S/o- Late Rambhu Yadav Village- Mansa Dubey
Patkhauri Ps- Bairiya Dist- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Bashistha Narayan Mishra, Advocate Mr.Brij Kishor Mishra, Advocate
For the Opposite Party/s :	Mr.Mohammad Sufyan, APP Mrs.Renu Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-09-2025 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
Nyay 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 17.03.2025.

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, Safayat Mian, who has been granted bail by this Court through Cr. Misc. No. 25608 of 2025 dated 29.07.2025.

6. 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.

7. 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 one more criminal case, 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.

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

9. 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 17.03.2024, 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 Judicial Magistrate- 1st Class, Bettiah, West Champaran, 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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