

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52401 of 2025

Arising Out of PS. Case No.-86 Year-2024 Thana- SAUR BAZAR District- Saharsa

Heera Yadav Son of Lakshman Yadav Resident of Village - Jamhara
Chandisthan, Ward No.- 12, P.S.- Sonbarsa Raj, District - Saharsa.

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mrs. Rashmi Jha, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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

ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Sour
Bazar P.S. Case No. 86 of 2024, instituted for the offences
punishable under Sections 341, 323, 379, 302, 102(B) and 34 of
the Indian Penal Code.

3. The prosecution case, in short, is that the informant
saw co-accused persons, namely, Ashok Yadav and Yugo Yadav
along with 4-5 unknown persons were assaulting his brother.
Upon objection all the accused persons tried to attack on him
and his son but they fled away. Brother of the informant was
found dead on the next day of the occurrence.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case in course of investigation on the basis of confessional statement made by co-accused, namely, Purushottam Kumar and the same has got no evidentiary value. The petitioner is in custody since 20.12.2024 and has got nine criminal antecedents in which he is on bail in eight cases. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 28.10.2024 passed in Cr. Misc. No. 47332 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 Sour Bazar P.S.
Case No. 86 of 2024, 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.

Rajorshi/-

(Rudra Prakash Mishra, J)

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