

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54715 of 2025

Arising Out of PS. Case No.-160 Year-2025 Thana- BAHERA District- Darbhanga

1. Balmiki Yadav, S/o Baidyanath Yadav @ Baidnath Yadav
 2. Raja Yadav, S/o Baidyanath Yadav @ Baidnath Yadav
- Both are R/o Village - Suhat, P.S - Bahera, District – Darbhanga

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mrs. Muskan Singh, Advocate
For the State	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Saurav Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State duly assisted by learned counsel for the informant.

2. The petitioners seek bail in connection with Behara P.S. Case No.160 of 2025 registered for the offences punishable under Sections 126(2), 303(2), 308(2), 109(10 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (for short ‘B.N.S.’) and Section 27 of the Arms Act.

3. The accused/petitioners are named in the FIR and are in custody since 09.06.2024.

4. As per FIR, named co-accused Vikash Yadav opened fire upon informant causing gun shot injury, where



allegation against petitioner no.1 is to give order to co-accused Vikash Yadav to open fire.

5. It is submitted by learned counsel appearing for petitioners that from the very perusal of FIR, it can be gathered safely that no overt act appears attributed to these petitioners. It is submitted that these petitioners were present at the place of occurrence but the firing was specifically alleged to be made by co-accused Vikash Yadav. While concluding argument, it is submitted that investigation of this case has been completed for which, charge-sheet has been submitted and, as such, there is no chances of tampering with the evidence and moreover petitioners are men of clean antecedent.

6. Learned APP duly assisted by Mr. Saurav Singh, while opposing the prayer of bail submitted that petitioners have actively participated in the occurrence along with main co-accused Vikash Yadav.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* no overt act attributed against these petitioners, coupled with the fact that charge-



sheet has already submitted, where both petitioners, being men of clean antecedent, are in custody since 09.06.2025, accordingly, both petitioners, above-named, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Behara P.S. Case No.160 of 2025, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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