

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58864 of 2025

Arising Out of PS. Case No.-366 Year-2024 Thana- BELDOUR District- Khagaria

Ganga Yadav @ Gangadhar Kumar @ Gonga Yadav @ Ganga Kumar S/o
Late Arun Yadav R/o Village- Kaijri, P.S.- Beldaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Beldaur P.S. Case No. 366 of 2024 dated 13.10.2024, instituted
for the offence punishable under Sections 132, 109, 111, 121(1),
121(2), 3(5) of the BNS & Section 25(1-B)(a), 26, 27, 35 of the
Arms Act.

3. The prosecution case, in short is that on
12.10.2024, the informant received information that notorious
criminal Chhabila Yadav is stationed with his gang near Kanjari
Barrage and he was about to perpetrate a big incident. Informant



arrived at the indicated place where he found Chhabila Yadav, Suman Mishra and Mankhush Yadav with two unknown persons. Chhabila Yadav and Suman Mishra fired bullets upon the police force. They were directed to surrender but they started fleeing away. Two persons were apprehended at the spot while other three succeeded in fleeing away. One country made loaded pistol along with three live cartridges was recovered from Suman Mishra and a loaded country made pistol and four live cartridges were recovered from Chhabila Yadav.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner was not arrested at the spot. The apprehended persons disclosed the name of petitioner, who is alleged to have fled away from the place of occurrence. Further submission is that co-accused Suman Mishra from whose possession a country made pistol and live cartridges were recovered has been granted by the learned lower court itself. There is no specific allegation against the petitioner. Nothing has been recovered either from the conscious possession or from the house of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 30.04.2025, having three criminal cases against him and charge-sheet has



been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class at Khagaria in Beldaur P.S. Case No. 366 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Khatim Reza, J)

Sankalp/-

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