

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61107 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- KURSAILA District- Katihar

Bipin Yadav S/O Late Hari Yadav R/O Madheli Bandh, P.S- Kursela, Distt-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Kursela P.S. Case No. 19 of 2025 registered for the alleged offences under Sections 191(2), 191(3), 190, 109, 352, 351(2) of B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, police received information about two gangs of criminals resorting to indiscriminate firing upon each other to establish their supremacy over and area and to grab the land. Police reached there but none of the miscreants could be apprehended. However, the police came to know that the petitioner and other co-accused persons were involved in the said occurrence.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The police party did not see any persons making fire and no empty cartridges were recovered from the place of occurrence which creates doubt over the prosecution version. It also transpired from the FIR that the petitioner has been made accused in this case merely on the basis of the statement of either the local chowkidar or the local cowmen. The petitioner is accused in altogether 11 cases. Learned counsel further submits that, however, the petitioner is on bail in the cases except one. Number of co-accused persons have been granted bail by different Co-ordinate Benches vide orders dated 14.07.2025, 19.08.2025 and 27.08.2025 passed in Cr. Misc. Nos. 42929 of 2025, 49614 of 2025, 52124 of 2025, 53028 of 2025 and 59146 of 2025, respectively. The case of the petitioner is on similar footing. The petitioner is in custody since 21.04.2025 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner appears to be habitual offender and accused in altogether 11 cases of serious nature.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



vague nature of allegation and lack of substantive material to show the involvement of the petitioner and further considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar/concerned Court in connection with Kursela P.S. Case No. 19 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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