

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70561 of 2025

Arising Out of PS. Case No.-168 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

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Kamli Yadav Son of Chulho Yadav Resident of Vill- Khaddiyara @ Khurd
Diyara, P.S.- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv.
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sahebpur Kamal P.S. Case No. 168 of 2024, dated 13.06.2024 registered for the offences punishable under Sections 147, 341, 386, 302, 379, 120B and 504 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, all the FIR named accused persons armed with fire-arms came to the place where Gopal Sahni (deceased) was picking fishes and demanded Rs. 5,00,000/- as extortion otherwise they were going to kill him. When the deceased resisted, Kamli Yadav (petitioner) ordered



Bangali Yadav to kill the deceased, who then shot the deceased. The co-accused persons took away 5-6 *mann* of fishes worth Rs. 50,000/- and then all of them fled away. Gopal Sahni was later declared dead at the Hospital.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The specific allegation of firing is against the co-accused person Bangali Yadav and the only allegation of giving order of firing is against the petitioner, but there is no specific allegation of any assault or overt act against this petitioner. The co-accused person has already been granted bail by this court *vide* order dated 24.06.2025 passed in Cr. Misc. No. 37742 of 2025. The petitioner has two criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 13.06.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the petitioner's period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the



satisfaction of learned Court concerned, Begusarai, in connection with Sahebpur Kamal P.S. Case No. 168 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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