

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69771 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- GOGRI District- Khagaria

1. Adarsh Yadav @ Adarsh Kumar S/o- Puran Yadav Resident of Village- Usri PS- Gogri District- Khagaria
2. Aman Yadav @ Aman Kumar S/o- Puran Yadav Resident of Village- Usri PS- Gogri District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with Gogri P.S. Case No. 49 of 2025 registered for the offences punishable under Sections 126(2), 127(2), 115(2), 109, 308(5), 351(2), 3(5) of the B.N.S. read with Section 27 of the Arms Act.

3. As per prosecution case, informant's son was called by the petitioners and others. It is alleged that informant's son was shot by co-accused Puran Yadav as a result of which informant's son sustained injury on head.

4. Learned counsel for the petitioners submits that petitioners are in custody since 24.06.2025 and they bear



criminal antecedent of two cases in which they are on bail. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that no specific allegation of firing is attributed against the petitioners rather the allegation of firing is against co-accused Puran Yadav. He further submits that the occurrence took place on 20.02.2025 and FIR was lodged on 25.02.2025 i.e. after delay of about five days and no plausible explanation has been given regarding the said delay by the informant which questions the authenticity of the FIR. Petitioners are quite innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in the present case.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners by submitting that petitioners are FIR named accused person. Hence, petitioners cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, period of custody, no specific overt-act is attributed against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named 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 learned C.J.M., Khagaria in connection with Gogri P.S. Case No. 49 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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