

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 70961 of 2025**

Arising Out of PS. Case No.-181 Year-2024 Thana- SONBERSHA RAJ District- Saharsa

1. Gango Yadav @ Gengo Yadav S/O Late Uttamlal Yadav Resident of Village- Chandi Sthan, Jamhara, Ward No-9, P.S- Sonbharsa Raj, District- Saharsa.
2. Bidur Yadav S/O Gango Yadav @ Gengo Yadav Resident of Village- Chandi Sthan, Jamhara, Ward No-9, P.S- Sonbharsa Raj, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**

ORAL ORDER

2      08-10-2025

Heard the parties.

2. The petitioners apprehends their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 109, 308(2), 352, 351(2), 351(3) and 3(5) of BNS and 27 Arms Act.

3. The prosecution case, in short, is that while the informant was parking his motorcycle, the accused persons, including the petitioners, assaulted him with intent to kill. The accused persons assaulted him on the head with a *farsa* and fired shots. On an alarm being raised, they fled from the spot and threatened the informant with dire consequences if one lakh rupees was not paid.

4. Learned counsel for the petitioners submits that



they are innocent and have been falsely implicated in the present case. It is stated that the only allegation against petitioner no. 1 is that he gave the order, while petitioner no. 2 is alleged to have opened fire. The specific allegation of causing injury by means of a *farsa* is attributed to co-accused Santlal Yadav, as a result of which the informant sustained injuries, and co-accused Santlal Yadav has already been granted bail vide order dated 23.07.2025, passed in Cr. Misc. No. 43693 of 2025. It is further submitted that there is a counter version of the incident, wherein the wife of petitioner no. 2 has lodged Basnahi P.S. Case No. 253 of 2024 against the informant and others. It is also submitted that petitioner no. 1 is said to have sustained injuries during the occurrence. Lastly, it is submitted that the petitioners have one criminal antecedent.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 Judicial



Magistrate-1st Class, Saharsa/Successor Court in connection with Sonbarsa Raj P.S. Case No.181 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

**(Ajit Kumar, J)**

shikha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

