

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81974 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- BITHAN District- Samastipur

Budhan Yadav Son of Ramsul Yadav @ Tarani Yadav, Resident of Village -
Karanchi Ramnagar, P.S.- Bithan, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 82846 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- BITHAN District- Samastipur

Manoj Yadav S/o Ram Prakash Yadav, Resident of Village- Karanchi
Ramnagar, P.S.- Bithan, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 81974 of 2025)

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

(In CRIMINAL MISCELLANEOUS No. 82846 of 2025)

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 03-12-2025 Both the criminal miscellaneous petitions have arisen out of the same police station case number, hence they are being heard together and decided by a common order.

2. Heard learned counsel for the petitioners and learned A.P.P. for the State.

3. In the present case, the petitioners seek bail in connection with Bithan P.S. Case No. 27 of 2025 dated 16.03.2025, registered for the offences punishable under



Sections 126(2), 115(2), 118(1), 117(2), 109, 308(5), 352, 351(2) and 351(3) read with Section 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

4. As per the prosecution case, in the background of earlier dispute, the petitioners came to the doors of the house of the informant on a motorcycle being driven by co-accused Shrawan Kumar. The petitioner Budhan Yadav drew out a pistol from his waist and fired upon the informant and the shot hit him on the right hand and in the thigh of the maternal grandson of the informant who was in his lap.

5. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. The injury reports show the injury was on non-vital part and there was no repetition of firing which shows there was no intention to cause death of any person. Nothing incriminating has been recovered from the person or possession of the petitioners. Learned counsel next submits that petitioners are having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner Budhan Yadav is in custody since 04.07.2025 and petitioner Manoj Yadav is in custody since 09.07.2025.



6. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioners and submits that the rejection order shows that bullet wound was found on the hand of the informant as well as the thigh of his grandson.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of petitioners, their clean antecedent and submission of chargesheet against them, the petitioners, above-named, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Rosera at Samastipur / concerned Court, in connection with **Bithan P.S. Case No. 27 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioners



on single date or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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