

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80205 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- SAHEBPUR KAMAL District- Begusarai

Chaila Yadav son of Pulkit Yadav Resident of Village - Chamman Tola, Ward
no. 15, Ps- Sahebpur Kamal, Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar, Advocate Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Pranav Kumar, APP
For the Informant	:	Mr. Sarvottam Kumar, Advocate Ms. Asmita Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-12-2025 A supplementary affidavit has been filed on behalf of

the petitioner bringing on record the correct details of cases in

which the petitioner has been made accused, which is taken on

record.

02. Heard learned counsel for the petitioner and

learned APP for the State as well as learned counsel for the

informant.

03. In the present case, the petitioner seeks bail in

connection with Sahebpur Kamal P.S. Case No. 72 of 2025

registered for the alleged offences under Sections 126(2),

115(2), 352, 351(1), 351(2), 109(1), 3(5) of Bharatiya Nyaya

Sanhita, 2023.



04. As per prosecution case, a number of miscreants came to the house of the informant and opened fire in which the daughter of the informant received gunshot injury in her right leg. The informant named this petitioner along with other co-accused persons for committing this crime. The occurrence took place in the background of case earlier lodged by the informant against the miscreants.

05. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that though the rejection order mentioned this petitioner fired upon the daughter of the informant, the same appears to be an error of record, as during investigation, the victim herself stated that co-accused, Vimal Yadav, fired upon her and she received injury. Learned counsel further submits that, moreover, the injury report of the victim shows she received one lacerated wound of size 1” length in her right leg near ankle with gun powder and the opinion of the injury is simple in nature. There is counter version and one Lalpari Devi of the family of the petitioner has lodged Sahebpur Kamal P.S. Case No. 192 of 2025 against the informant and his associates. Learned counsel further submits that, thus, the allegation against the petitioner and other co-accused persons is



general and omnibus and no specific role or overt act has been attributed to the petitioner. The petitioner is having antecedent of five cases and charges have been framed against him. The petitioner is in custody since 20.08.2025.

06. Learned APP for the State as well as learned counsel appearing on behalf of the informant oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that from the rejection order, it appears that it was the petitioner who fired upon the daughter of the informant. Learned counsel further submits that the petitioner is having antecedent of five cases and most of the cases are under the Arms Act.

07. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no specific allegation against the petitioner for causing firearm injury and further considering the framing of charge against the petitioner and his period of custody, 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 Additional Chief Judicial Magistrate-IV, Begusarai/court concerned in connection with Sahebpur Kamal P.S. Case No. 72



of 2025, subject to the conditions mentioned in Section 480(3)
of BNSS and 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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