

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87230 of 2024

Arising Out of PS. Case No.-370 Year-2024 Thana- PARBATTa District- Khagaria

1. Ranbeer Yadav Son of Late Yugesh Yadav Village- Baisa PS- Parbatta (Madaiya), District -Khagaria
2. Dharmvir Yadav son of Late Yugesh Yadav Village- Baisa PS- Parbatta (Madaiya), District -Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Budhilal Yadav, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 20-03-2025 Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Parbatta (Maidaiya) P.S. Case No. 370 of 2024 instituted for the offences under Sections 126(2), 109, 352, 351(2), 351(3), 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the accused persons including the petitioners is of firing upon the Informant's son with an intention to kill him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the



present case. The petitioners have not committed any offence as alleged in the F.I.R. Learned counsel for the petitioners further submits that there is no direct or specific allegation of any overt act against the petitioners rather the same is general and omnibus in nature. There is a case and counter case between the parties. It is alleged that the accused persons have fired upon the Informant's son but, surprisingly, nothing incriminating has been recovered from the place of occurrence. In the alleged occurrence, no one sustained any fire-arm injury. The petitioner no.1 has five criminal antecedents whereas petitioner no.2 has four criminal antecedents and are languishing in judicial custody since -16.09.2024 without any rhyme or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged against the petitioners is serious in nature. The petitioners are named in the F.I.R. and, hence, they do not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case and the period of custody of the petitioners, let the petitioners, abovenamed, be released on bail, ***after framing of charge if not***



already framed, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Parbatta (Maidaiya) P.S. Case No. 370 of 2024.

(Rudra Prakash Mishra, J)

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