

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85350 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- Sarbahada District- Gaya

Raj Kumar Yadav S/O Late Dip Narayan Yadav @ Late Deepan Yadav R/O
Vill.- Jharha,P.S- Sarbahda, Dist- Gaya ji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sarbahda P.S. Case No. 96 of 2025 registered for the alleged offences under Sections 126(20, 115(2), 109, 352 and 351(2) read with Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons abused and assaulted the informant and when the son of the informant tried to rescue him, this petitioner fired upon the informant but the shot hit the son of the informant in his right leg.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. No occurrence in the manner as alleged has ever taken place. There is general and omnibus allegation against altogether four accused persons and specific allegation of firing has been made against this petitioner but the injury report shows the injury received by the son of the informant was caused by hard and blunt substance, which falsifies the allegation against the petitioner for firing of the shot on the informant's son. The injury is stated to be simple in nature. Learned counsel further submits that in the given facts and circumstances, no offence under Section 109 BNS is made out. The petitioner is having antecedent of two cases and is on bail in both the cases. Learned counsel further submits that the petitioner is in custody since 24.08.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of injury which does not corroborate the allegation against the petitioner and further considering the period of custody of the petitioner along with submission of charge-sheet, 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, Gayaji/court concerned in connection with Sarbahda P.S. Case No. 96 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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