

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.660 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- Bijdhari District- East Champaran

Hasendra Yadav @ Hasindra Rai Son of Ujit Rai @ Oyit Ray Resident of
village - Sundrapur, Ps- Bijdhari, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Abhishek Kumar Srivastava, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 07-04-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the informant. Perused
the case diary.

2. The petitioner seeks bail in connection with
Bijdhari P.S. Case No. 21 of 2024 instituted for the offence
under Sections 103(1) & 3(5) of the Bharatiya Nyaya Sanhita,
2023 and Section 27 of the Arms Act.

3. Prosecution case in a nutshell is that husband of the
informant was shot dead by accused persons in front of the
informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 25-09-2024. Petitioner
bears no criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Jiyalal Rai. There is no specific allegation against the petitioner even as per the FIR. Learned counsel for the petitioner submits that it is the petitioner who has informed the brother of the deceased about the happening of incident. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted by referring to paragraph No. 26 of the case diary that in confessional statement of co-accused, namely, Jiyalal Rai, he has confessed his guilt and has also alleged complicity of the petitioner in the occurrence. As per postmortem report, cause of death is hemorrhage and shock caused by fire arms.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no specific allegation against the petitioner even in the case diary and charge sheet being submitted, this Court is inclined to grant



bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Bijdhari P.S. Case No. 21 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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