

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2880 of 2025

Arising Out of PS. Case No.-704 Year-2024 Thana- GAYA MUFASIL District- Gaya

Dilip Chand Yadav @ Dilip Chandra Yadav S/o Late Jagdish Yadav Resident
Of Mohalla- Rana Nagar, MahaddipurKothiCompound, PS - Muffasil, Distt.-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Sr. Advocate Mr. Vipin Kumar Singh, Advocate Ms. Nikita Mittal, Advocate
For the Opposite Party/s :		Mr. Ram Sevak Choudhary, APP
For the Informant	:	Mr. Rabindra Kumar Priyadarshi, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-04-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S Case no.704 of 2024 registered under sections 109, 115(2), 118(2), 303(2), 351, 352, 3(5) and 126(2) of the Bhartiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that the four named accused persons including the petitioner herein used to demand *rangdari*. It is stated that on 19.8.2024, the petitioner as also his wife started to hurl abuses and threatened the informant that he would be set right. Thereafter, it is stated that co-accused Biru Kumar fired from his pistol,



however the informant was somehow saved. The second shot fired by Biru Kumar hit in his left leg. While the accused persons escaped, the informant was taken to the hospital in a serious condition.

4. Learned Senior counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the case. From the contents of the FIR, it would transpire that the allegation of firing is on co-accused Biru Kumar and not the petitioner herein. The petitioner is in custody since 23.9.2024 and has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the FIR but from the contents thereof it would transpire that he has actively participated in the occurrence. This is a continuing offence of demand of *rangdari* by the petitioner and others. It is further submitted that the case is being committed to the Court of Sessions and once the petitioner is enlarged on bail, he will not permit the trial to proceed.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, the specific allegation of firing being on co-accused



Biru Kumar and not the petitioner herein together with the petitioner having remained in custody for more than 6 months since 23.9.2024 and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Muffasil P.S Case no.704 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-VI, Gaya on the following conditions :-

(I) The petitioner shall remain properly represented on each date in the learned trial Court and shall cooperate in the trial.

(II) In case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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