

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3219 of 2026

Arising Out of PS. Case No.-635 Year-2025 Thana- FATEHPUR District- Gaya

Birendra Kumar @ Shaktiman Yadav S/O Rajendra Yadav R/O Village-
Tetaria, P.S.- Fatehpur, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Mr. Mukund Kumar
Mr. Ashutosh Kumar, Advocates
For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 02-02-2026 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 109, 351(2), 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.
3. Prosecution case, in brief, is that on 04.09.2025, all the F.I.R. named accused persons, including this petitioner, came at the house of informant on motorcycle and started firing. Petitioner is alleged to be driving the motorcycle.
4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner is only alleged to be driver of the motorcycle and specific allegation of firing is against co-accused Raja Kumar.
5. Learned A.P.P. for the State vehemently opposed



the bail application.

6. Considering the nature of accusation and the fact that petitioner is not alleged to have fired, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Fatehpur P. S. Case No. 635 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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