

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4365 of 2026

Arising Out of PS. Case No.-259 Year-2025 Thana- SILAO District- Nalanda

Yogi Yadav @ Bijendra Yadav @ Jogi Yadav, Son of Late Shahdeo Yadav,
Resident of Village - Mahanandpur, P.S. - Deepnagar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Silao P.S. Case No. 259 of 2025, registered for the alleged offences under Sections 126(2), 115(2), 109(1), 351(3), 352, 324(2), 3(5) of BNS, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner and other co-accused persons came to the house of the informant and in the background of earlier dispute hurled abuses. When the informant resisted, he was slapped and co-accused Manoj Yadav took out a pistol from his waist and fired at him. The informant anyhow saved his life and he ran away from there and entered in his house and locked the door. The petitioner and other co-



accused persons opened indiscriminate firing on the house of the informant.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No injury has been caused to any person in the alleged firing. The alleged recovery of one empty cartridge and two pellets from the spot is suspicious and appears to be fabrication on part of the informant. The whole occurrence has been highly exaggerated by the informant. No independent witness has come forward to support the prosecution case. Both the parties are agnates and members of same extended family. The learned counsel further submits that the petitioner is having antecedent of eight cases and he has been acquitted in three such cases and in rest cases, he is on bail. The petitioner is in custody since 14.09.2025 and charge sheet has been submitted.

5. Learned APP vehemently opposes the submission made on behalf the petitioner. The learned APP submits that the petitioner appears to be habitual offender.

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the non-specific nature of allegation against the petitioner and lack of injury sustained by any victim and further considering the



submission of charge sheet and period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Biharsharif, Nalanda/court concerned, in connection with Silao P.S. Case No. 259 of 2025, subject to the conditions mentioned in Section 480 (3) of BNSS and also 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)

V.K.Pandey/-

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