

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14347 of 2026

Arising Out of PS. Case No.-179 Year-2025 Thana- BHAPTIAHI District- Supaul

1. Shatish Kumar @ Satish Kumar @ Satish Kumar Yadav S/o Jay Prakash Yadav Resident of village - Murli, Ward No. 05, Police Station - Bhaptiyahi, District - Supaul
2. Nitish Kumar S/o Balram Yadav @ Baliram Yadav Resident of village - Murli, Ward No. 05, Police Station - Bhaptiyahi, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Arun, Advocate
For the State	:	Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-04-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 103(1) and 3(5) of the B.N.S..

3. The prosecution case, in brief, is that on 09.08.2025 between 11 – 12 in the Noon, while informant along with her husband was going to her *Naihar*, in the meantime, all the 8 F.I.R. named accused persons, including these petitioners, surrounded them and brutally assaulted husband of informant. It is further alleged that co-accused Manish Kumar fired upon husband of informant, as a result of which he sustained firearms



injury and during treatment, he died.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. From bare perusal of the F.I.R. it is apparent that it was co-accused Manish Kumar who caused fire arm injury upon husband of informant, due to which he died. So far as these petitioners are concerned, they are only alleged to be member of the unlawful assembly and there is absolutely no allegation of any overt act against these petitioners. It is further submitted that similarly situated co-accused person, namely Madan Sah, has already been granted bail by this Hon'ble Court vide order dated 17.12.2025 passed in *Cr. Misc. No. 86039 of 2025*. Moreover, charge-sheet has already been submitted and petitioners, having no criminal antecedents, are in custody since 11.08.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity, period of custody and clean antecedents of the petitioners, the prayer for grant of bail to the petitioners is allowed.



7. Accordingly, let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Bhaptai Sarai P.S. Case No. 179 of 2025.

(Prabhat Kumar Singh, J)

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