

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.922 of 2026

Arising Out of PS. Case No.-572 Year-2024 Thana- FATUA District- Patna

Kamaldeo Yadav S/o- Late Ram Sahak Yadav @ Shak Yadav Resident of
Village- Ranipur P.O and P.S- Fatuha District- Patna

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Smt. Kabita Devi w/o- Sri Lal Bahadur Paswan Resident of Village- Ranipur
P.O and P.S- Fatuha District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arbind Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 12-05-2026 Heard the parties.

2. The instant appeal has been filed by the appellant against the order dated 17.02.2026 passed in Special Case No. 447 of 2024 arising out of Fatuha P.S. Case No. 572 of 2024 passed by the learned Exclusive Special Judge-SC/ST (POA) Act, Civil Court Sadar, Patna whereby the bail application of the appellant registered for the offence under Sections 126(2), 115(2), 103(1), 352, 61(2) of the BNS, under Section 27 of the Arms Act and under Sections 3(1)(r)(s), 3(2)(v) of SC/ST (POA) Act, was rejected.

3. As per the prosecution case, Santu and Monu are said to have caught hold of the deceased and thereafter Bhola



Yadav shot at the deceased, which hit him on his chest. Bukhar Yadav and another are said to have fired but the same did not hit anyone.

4. The appellant is in custody since 14.01.2026 and it has been submitted by the learned counsel for the appellant that the appellant was only the member of the unlawful assembly and there is no role assigned to him in the alleged offence.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the facts of the case, the nature of allegation levelled against the appellant and his period of custody, this application is allowed and accordingly, the order dated 17.02.2026, is hereby set aside.

7. Let the appellant be released on bail upon furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case No. 447 of 2024 arising out of Fatuha P.S. Case No. 572 of 2024.

8. After being released on bail, the appellant is directed to cooperate in the trial by appearing personally till the framing of charge, if the charge has not already been framed and



after framing of charge he is directed to cooperate in the trial either by appearing personally or through his lawyer. Non-compliance of the condition will result in cancellation of the bail bonds of the appellant.

Vikas/-

(Sandeep Kumar, J)

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