

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21425 of 2026

Arising Out of PS. Case No.-306 Year-2023 Thana- UJIYARPUR District- Samastipur

Baiju Kumar @ Chapa S/o Satandra Yadav Resident of Village - Jharharpur,
Police Station- Karai Parshurai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 17-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 302, 307, 353 & 323/34 of the Indian Penal Code and under Sections 25(1-b)(a), 26 and 35 of the Arms Act.

3. The case of the prosecution, in short, is that the informant with other police officials proceeded for investigating Mohanpur O.P. P.S. Case No. 517 of 2023 under Section 379 IPC against unknown persons. During investigation the deceased got information that Meghu Prasad roaming with his 10-15 companions in the area in order to steal the cattle. On this information, the informant along with his police officials reached P.O. and saw that one pick up bearing registration no. BR 06 GI-



5918 covered with upper part with *tirpaal* and one pick up vehicle bearing registration no. BR 01 GL-0793 was found there and three persons were standing there. They were caught by police personnel but other 10-12 persons of their gang came to their rescue. In course of rescue, one of them fired on S.H.O. Nand Kishore Yadav due to which he became injured and during course of treatment he succumbed to the injuries.

4. Learned counsel for the petitioner submits that from perusal of the FIR itself it is clear that there is no specific allegation against any person of making fire. This petitioner has been made accused in this case as he is the owner of the pickup vehicle bearing registration no. BR-01GI-0793. From perusal of the FIR itself it is also clear that the informant has stated that he can identify the culprits as he has seen them in light but no TIP has been conducted. Save and except that the petitioner is owner of the said pickup vehicle, there is nothing against him. Learned counsel for the petitioner has submitted that the petitioner is in judicial custody since 24.09.2025. It has further been submitted that similarly situated other co-accused person has already been granted bail by this court vide Cr. Misc. No. 87896 of 2025. The case of this petitioner stands on similar footing.

5. Learned Additional Prosecutor for the State has vehemently opposed the bail application of the petitioner and has



submitted that the petitioner is having criminal antecedent of three cases.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ujiyarpur P.S. Case No. 306 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Dalsinghsarai at Samastipur.

(Ashok Kumar Pandey, J)

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