

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35868 of 2026

Arising Out of PS. Case No.-75 Year-2025 Thana- Mufassil District- Khagaria

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1. Mohan Kumar S/o- Chhatri Yadav R/v- Mathar PS- Muffasil District- Khagaria
 2. Rakesh Kumar S/o- Chhatri Yadav R/v- Mathar PS- Muffasil District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar @ Ashok Karn, Adv.
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 23-07-2026 Heard the learned Advocate for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Muffasil P.S. Case No. 75 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109 and 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. Allegedly, on the given date and time of occurrence, when the procession of *baraat* of informant's niece had come to his home, in the meanwhile, the accused persons protested to play the DJ, which resulted into some altercation, and whereupon an exhortation made by the co-accused Chhatri Yadav, all his three sons, variously armed, came there and started assaulting. It is specifically alleged that co-accused



Chhatri Yadav, along with the petitioners, have resorted to firing, due to which two persons have sustained injuries.

4. Learned Advocate for the petitioners referring to the FIR contended that the entire allegation falls to the ground for the simple reason that during the course of investigation, it has come that it is co-accused Chhatri Yadav, on whose firing the injured Abhishek Kumar Yadav has sustained a bullet injury in his hand, whereas the firing which is resorted by co-accused Vikash Yadav @ Viko Yadav, the injured Kundan had sustained bullet injury in his finger. The petitioners, only by virtue of they being son of co-accused Chhatri Yadav, their names have been implicated in this case. The petitioners, though bear one criminal antecedent each, but they undertake before this Court that they will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that there is a specific accusation against the petitioners of resorting to firing, which led to injuries to two persons.

6. Having considered the submissions advanced on behalf of the learned Advocate for the respective parties and taking note of the deliberation made by the learned Court below, wherein it is categorically noted that during the course of



investigation, it has come that it is co-accused Chhatri Yadav and Vikash Yadav @ Viko Yadav, who resorted to firing, due to which two persons have sustained injuries in their hands; besides the fact the petitioners have just crossed their tender age, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Muffasil P.S. Case No. 75 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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