

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26824 of 2026

Arising Out of PS. Case No.-63 Year-2023 Thana- BITHAN District- Samastipur

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1. Sakendra Yadav @ Saakendra Yadav, S/o Late Ratni Yadav, R/o vill - Sihma, Ward no. 3, P.S.- Bithan, Dist.- Samastipur
 2. Sunil Kumar @ Shankar Bihari, S/o Sakendra Yadav @ Saakendra Yadav, R/o vill - Sihma, ward no. 3, P.S.- Bithan, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shishir Kumar Shishir, Advocate
		Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the petitioners along with one Shrawan Yadav and two unknown persons dragged the son of the informant from his shop with an intention to kill him merely on the point of refusal of giving cigarette on credit. Thereafter, co-accused Shrawan Yadav opened fire upon the son of the informant, which hit on his chest resulting his death.

4. Learned counsel appearing on behalf of the



petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. Learned counsel for the petitioners has submitted that from perusal of the F.I.R. itself it is clear that main thrust of allegation is against co-accused Shrawan Yadav. The role of these petitioners is that they were there. They have dragged the son of the informant from his shop but fire was made by co-accused Shrawan Yadav. Petitioner no.1 is having no criminal antecedent and petitioner no.2 is having criminal antecedent of two cases in which he is on bail. They are languishing in judicial custody since 04.06.2025.

5. The application for bail is vehemently opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned District and Addl. Sessions Judge-I, Rosera, Samastipur in connection with Bithan P.S. Case No. 63 of 2023.

(Ashok Kumar Pandey, J)

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