

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31334 of 2026

Arising Out of PS. Case No.-76 Year-2025 Thana- KIUL District- Lakhisarai

Umesh Yadav S/O late Shiv Yadav R/O Vill.- Lakhochak, P.S.- Kiul, Dist.-
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rizwanul Haque, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 22-07-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Kiul
P.S. Case No. 76 of 2025 instituted for the offences under
Sections 126(2), 115(2), 117, 109(1), 103(1), 3(5) of the
Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. Prosecution case, in short, is that due to a prior land
dispute, the accused persons allegedly formed an unlawful
assembly, assaulted the informant's family with deadly
weapons, committed robbery, and Umesh Yadav allegedly shot
Chhotu Kumar on the head, causing his death.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The only specific allegation against the petitioner is of firing upon the deceased, however, the same is not corroborated by the injury report as there is no mention of any fire-arm injury, which falsifies the case of the prosecution. There is previous land dispute between the parties. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.09.2025 and has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, post-mortem report as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kiul P.S. Case No. 76 of 2025, subject to the following conditions:



(I) One of the bailors shall be the petitioner’s own or a close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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