

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45045 of 2026

Arising Out of PS. Case No.-312 Year-2024 Thana- UCHKAGAON District- Gopalganj

Abhishek Kumar Yadav @ Abhishek Kumar@ Abhishek Yadav son of
Ramesh Yadav Resident of village- Bhagwan Tola, PS -Uchakagaon, District
-Gopalganj Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate

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

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

ORAL ORDER

2 20-07-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Uchakagaon P.S. Case No. 312 of 2024 instituted for the offence
under Sections 126(2), 115(2), 308(5), 109, 351(2) & 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. Prosecution case, in brief, is that all the named
accused persons including the petitioner had assaulted one Niraj
Yadav. It is further alleged that co-accused, namely, Manish
Yadav, had fired upon the husband of the informant, namely,
Niraj Yadav.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 09.04.2025. Petitioner



bears two (2) criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. From perusal of the FIR, it would reveal that there is no specific allegation against the petitioner, rather the same is against other co-accused person. Specific allegation of firing is against co-accused, namely, Manish Yadav. Charge sheet has already been submitted in this case. Other co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 15-05-2025, passed in Cr. Misc. No. 28645 of 2025.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Uchakagaon P.S. Case No. 312 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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