

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40955 of 2026

Arising Out of PS. Case No.-306 Year-2025 Thana- BHARGAMA District- Araria

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1. Subodh Yadav S/o Bharat Yadav R/o Nav Tol, Dhaneshwari, Ward No. 13, P.S. - Bhargama, Distt. - Araria.
 2. Ajay Yadav @ Ajay Kumar S/o Madan Lal Yadav R/o Nav Tol, Dhaneshwari, Ward No. 13, P.S. - Bhargama, Distt. - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mira Kumari, Adv
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-06-2026 Heard the parties.

2. Both petitioners are not named in the F.I.R. and apprehending their arrest in connection with Bhargama P.S. Case No.306/2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 127(2), 103(1), 303(2), 308(6), 326(g), 324(6), 352, 351(2) and 351(3) of the BNS.

3. As per F.I.R., all the named accused persons along with 10-15 unknown persons, armed with pistols and weapons, came to the house of informant and on the order of co-accused Guddu Yadav, other co-accused persons attacked the house sprinkled petrol and set the house of informant on fire as a result of which, husband of the informant was burnt alive.

4. Learned counsel for the petitioners submitted that petitioners are not named in the F.I.R. Their name transpired during course of investigation through confessional statement of co-accused with allegation that these petitioners were also involved in the



alleged occurrence. Allegation against petitioners is general and omnibus in nature. It is further submitted that informant claims to be eye witness of the occurrence and she has not named these petitioners nor even whispered anything about presence of these petitioners at the time of alleged occurrence. It is further submitted that similarly situated co-accused has already granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 1084/2026 dated 22.01.2026. Petitioners claimed clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as both petitioners were not named in FIR, despite claiming to be eye-witness of the occurrence by informant, accordingly both above-named petitioners, who are of clean antecedent, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class-cum-ACJM VIII, Araria/concerned Court, where the case is pending in connection with Bhargama P S Case No. 306 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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