

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40852 of 2026

Arising Out of PS. Case No.-108 Year-2025 Thana- MITHANPURA District- Muzaffarpur

Dindayal Yadav, age 30 years, Male, Son of Late Shivnandan Yadav @ Shivanand Yadav @ Shiv Nandan Yadav @ Shiv Nand Yadav, Resident of Village- Bihrauna, P.S.- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s :	Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 19-06-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 790 of 2025 arising out of Mithanpura P.S. Case No. 108 of 2025 instituted for the offences punishable under Sections 109 and 61(2) of the BNS, 2023 corresponding to Section 307 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

3. This is the 2nd attempt for regular bail of this petitioner. Earlier the prayer for regular bail of this petitioner was rejected by this Court passed in Cr. Misc. No. 73607 of 2025 vide order dated 21.01.2026 with an observation that the petitioner may renew his prayer for bail before the trial Court after completion of one year of custody.



4. As per the prosecution case, two unknown criminals came and shot the son of the informant.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that petitioner is not named in the FIR and nothing incriminating articles has been recovered from the conscious possession of the petitioner and he has been surfaced in this only on the basis of mere suspicion. He further submits that during investigation the investigating officer observed the CCTV footage and came to the conclusion that the son of the informant was shot. He next submits that the petitioner is neither put on Test Identification Parade nor there is any recovery of any incriminating articles. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 13.05.2025.

6. Learned APP for the State opposes the prayer for regular bail of the petitioner.

7. From perusal of the FIR and also perused the impugned order dated 16.05.2026 passed by the learned 3rd District and Additional Sessions Judge, Muzaffarpur, it appears that the petitioner has been made accused only on the basis of CCTV footage. From perusal of the impugned order, it also



appears that four charge sheet witnesses have been examined out of which only one witness i.e., the Investigating Officer is yet to be examined and there is no chance for disposal of this case in near future, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant regular bail to the above named petitioner.

8. Accordingly the prayer for regular bail of the petitioner is allowed. Let the petitioner above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge, Muzaffarpur / Concerned Court in connection with Sessions Trial No. 790 of 2025 arising out of Mithanpura P.S. Case No. 108 of 2025, subject of the condition that the petitioner shall remain physically present on each and every date as fixed by the trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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