

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43969 of 2026

Arising Out of PS. Case No.-37 Year-2026 Thana- JADIA District- Supaul

Dayanand Yadav @ Daya Yadav S/o Avadh Yadav @ Avdha Yadav @ Abadh
Lal Yadav Resident of Village- Jadiya, Ward No. 14, P.S.- Jadia, District-
Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2026 Heard Mr. Murari Narain Chaudhary, learned
counsel for the petitioner and Mr. Ajay Kumar Jha, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.05.2026 in connection with Jadia P.S. Case No. 37 of 2026,
F.I.R. dated 08.03.2026 for the offences punishable under
Sections 109(1), 115(2), 118(1), 126(2), 190, 191(2), 191(3),
329(4), 352 and 351(2) of the BNS, 2023.

3. According to prosecution case, all the accused
persons including this petitioner under a conspiracy called the
son of the informant to an isolated location and brutally
assaulted him. Thereafter, co-accused Prince Kumar shot the son
of the informant on his head due to which he sustained injury.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. From perusal of the FIR it appears that the FIR is in two parts. According to part one, there is general and omnibus allegation against all the accused persons including this petitioner and according to part two, there is specific allegation of assault against the co-accused that he has fired upon the son of the informant. He further submits that there is no specific allegation of assault or overt act attributed against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Kripanand Yadav @ Krityanand Yadav has been granted bail by this Court vide order dated 17.06.2026 passed in Cr. Misc. No. 38098 of 2026 and another co-accused, namely, Suraj Sharma @ Suraj Kumar has also been granted bail by a Co-ordinate Bench of this Court vide order dated 17.06.2026 passed in Cr. Misc. No. 38474 of 2026. The petitioner is in custody since 16.05.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries five criminal antecedents other than the present one but fairly submits that in one case is on



bail, in three cases he has been acquitted from the learned Court below and rest one case has been disposed of from the Lok Adalat.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Supaul in connection with Jadia P.S. Case No. 37 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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