

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52134 of 2026

Arising Out of PS. Case No.-100 Year-2026 Thana- SARMERA District- Nalanda

Chandan Kumar @ Chandan Yadav S/o Mithilesh Yadav Resident of Village-
Chero, P.S.- Sarmera, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks bail in connection with Sarmera P.S. Case No. 100 of 2026 instituted for the offences punishable under Sections 191(2), 191(3), 127(2), 115(2), 109(1), 352 of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act, 1959.

3. As per the prosecution case, the informant had alleged that on 06.05.2026, an altercation transpired after the informant raised an objection to the petitioner, Chandan Yadav, playing obscene songs at a high volume. Subsequently, at approximately 5:30 p.m., while the informant was returning home, the accused persons, armed with lathis, iron rods, and pistols, allegedly intercepted and assaulted him. During the



incident, co-accused Munni Yadav allegedly discharged a firearm at the informant, inflicting a gunshot injury near his left elbow, while Chandan Yadav fired two additional shots with the intention to cause his death. Upon the arrival of local villagers, the accused fled the scene. The injured informant was initially transported to the Primary Health Centre (PHC), Sarmera, for preliminary medical aid and was subsequently referred to VIMS, Pawapuri, for further treatment.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He submits that according to the F.I.R., though the allegation of firing is attributed to the petitioner but no one has sustained gunshot injury. He further submits that the petitioner has been made accused in this case on account of a previous land dispute between the parties. Though the petitioner has been made accused in one another case registered under Section 324(5) of the BNS, 2023, and Section 27 of the Arms Act, but he has been granted bail. The petitioner is in custody since 08.05.2026. Therefore, the petitioner deserves the privilege of regular bail.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case



and also the fact that no one has sustained injury by the alleged firing made by the petitioner and there being land dispute between the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Second, Nalanda, Bihar Sharif in connection with Sarmera P.S. Case No. 100 of 2026, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

(Girijish Kumar, J)

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