

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61208 of 2025

Arising Out of PS. Case No.-625 Year-2022 Thana- GOPALPUR District- Bhagalpur

Brajesh Yadav @ Rishidev Kumar Yadav S/o Late Sattan Yadav @ Late Satya
Narayan Yadav Vill.- Bhawanipur, PS- Rangra OP, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Rahul Singh, Advocate
For the Opposite Party/s	:	Mr. Ahmad Ali, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 09-02-2026 Heard learned Senior counsel Mr. Ramakant Sharma
assisted by Mr. Rahul Singh for the petitioner and learned A.P.P.
Mr. Ahmad Ali for the State.

2. The petitioner seeks regular bail in connection with
Sessions Trial No. 317 of 2024/318 of 2024/512 of 2024 arising
out of Gopalpur (Rangra) P.S. Case No. 625 of 2022 lodged on
14.12.2022, for the offence punishable under Sections 302/34 of
the Indian Penal Code and section 27 of the Arms Act.

3. Learned Senior counsel for the petitioner submits
that the bail application of the petitioner was earlier rejected
vide order dated 08.05.2024 passed in Cr. Misc. No. 20387 of
2024. Senior counsel submits that there were six criminal cases
pending against the petitioner, but by virtue of supplementary



affidavit with supportive documents, he has intimated to this Court that the petitioner has been acquitted in three cases namely, Naugachia P.S. Case No. 116 of 2018, Naugachia P.S. Case No. 284 of 2017 & Gopalpur (Rangra) P.S. Case No. 295 of 2017. And therefore, he submits that there are only three cases pending against the petitioner and in all three cases, he is on bail. Senior counsel further submits that the petitioner is in custody since 15.12.2022 and there was no specific allegation in the FIR, rather, there was general and omnibus allegation. Senior counsel further submits that in the present case also, charge been framed and no purpose would be solved keeping the petitioner into custody. Senior counsel submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

4. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that from perusal of the supplementary affidavit, it transpires that the petitioner has been acquitted in three cases, but still, in the present case, he is accused under section 302 of the IPC.

5. In the present facts and circumstances of this case as well as considering the fact that the petitioner has been acquitted in three cases and he is properly appearing in the



cases, therefore, let the petitioner above named be released on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Additional Sessions Judge-III, Naugachia, Bhagalpur in connection with Sessions Trial No. 317 of 2024/318 of 2024/512 of 2024 arising out of Gopalpur (Rangra) P.S. Case No. 625 of 2022, subject to the conditions as laid down U/s 480(3) of the B.N.S.S., 2023, with the following further conditions:-

(A) At the time of furnishing the bail bond, the petitioner shall satisfy the Trial Court that he is not absconding in any of the cases pending against him whose details are mentioned below-

(i) Mansi P.S. Case No. 137 of 2015

(ii) Kharik P.S. Case No. 2 of 2018

(iii) Falka P.S. Case No. 250 of 2017

(B) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(C) the petitioner shall appear before the Trial Court on each and every scheduled date, and failure to do so for three consecutive dates without any plausible reason/explanation shall



be resulted into cancellation of his bail bonds by the Trial Court
itself.

(D) the petitioner shall appear before the concerned
police station for one year, within every fortnight.

(Dr. Anshuman, J)

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