IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64158 of 2026

CNR No. BRHC010922842026

Arising Out of PS. Case No.-103 Year-2026 Thana- GOPALPUR District- Patna

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Krishna Prasad @ Krishna Prasad Yadav S/o Late Sita Ram Singh R/o Vill. - Shahpur, P.O. - Manoharpur, P.S. - Gopalpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for bail registered for the offence punishable under Sections 103(1), 126(2), 61(2), 351(2) and 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the petitioner who has formed a gang along with other named accused persons and 10-12 unnamed accused persons have shot dead two sons of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that in further part of the FIR, the

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informant has specifically stated the persons who have shot his sons are Ram Nath Rai, Raju Rai, Munmun Kumar, Vikku Kumar, Ganga Rai and Raman Rai. They are members of Krishna Prasad (the petitioner). He further submits that there was land dispute between the informant and the assailants. He further submits that the petitioner is not the assailant rather he is only the member of mob as per the FIR. He further submits that similarly situated co-accused persons namely, Chandan Kumar and Amarjeet Yadav have already been granted bail by this court vide Cr. Misc. No. 45482 of 2026.

5. The application for bail is vehemently opposed by the learned counsel for the informant and the learned APP for the State and submits that the petitioner has got criminal antecedent of one case. Learned counsel for the informant has submitted that in the confessional statement of co-accused persons the name of this petitioner has also surfaced as the assailant and that there has also been recovery on the disclosure of co-accused Amarjeet Yadav.

6. Countering this, the learned counsel for the petitioner has submitted that save and except for the confessional statement of the co-accused, there is nothing against him, and if the recovery has been made on the disclosure

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of co-accused Amarjeet Yadav, the relevancy will only be with effect to Amarjeet and his acts. It has further been submitted that though it is alleged that the petitioner has formed a gang but the petitioner only has criminal antecedent of one case. The petitioner is an old man aged about 76 years. Moreover, the petitioner is languishing in judicial custody since 19.06.2026.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna in connection with Gopalpur P.S. Case No. 103 of 2026.

(Ashok Kumar Pandey, J)

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