

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68392 of 2025**

Arising Out of PS. Case No.-95 Year-2025 Thana- MAHARAJGANJ District- Siwan

Pramod Kumar Yadav S/o- Pramanand Yadav, R/o- Indauli, PS- Maharajganj,
Dist- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

3 05-01-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Maharajganj P.S. Case No. 95 of 2025 dated 27.02.2025, registered for the offences punishable under Sections 132, 109, 262 and 121(1) of the B.N.S., 2023 and Sections 25(1-b)(a), 26 and 27 of the Arms Act.

3. As per the prosecution case, police went with the petitioner, non-FIR named accused of Daraunda P.S. Case No. 54 of 2025, for recovery of some fire-arms and ammunition. The petitioner tried to run away on reaching the spot and fired upon the police party from his illicit weapon. In retaliatory fire, the petitioner received injury in his leg.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in



the present case. No occurrence in the manner as alleged has ever taken place. The petitioner has not been remanded in Daraunda P.S. Case No. 54 of 2025 till date and prosecution story is not believable. The police has stated that the petitioner tried to run away from the police custody while he was handcuffed and roped and also fired upon police party, which is simply not possible. None of the members of the police party received any fire-arm injury. The true fact of the case is that the informant arrested this petitioner on 25.02.2025 while he was playing cricket near his house and kept him in custody and registered FIR on 27.02.2025 with false and concocted allegations. Learned counsel next submits that petitioner is having antecedent of 8 cases and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 28.02.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that the petitioner fired upon the police party when he was taken for recovery of fire-arms and ammunition.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of



chargesheet against him, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Siwan / concerned Court, in connection with **Maharajganj P.S. Case No. 95 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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