

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67041 of 2025**

Arising Out of PS. Case No.-111 Year-2022 Thana- KHIRI MORE District- Patna

Om Prakash Yadav S/o Late Ram Kewal Yadav R/o Village - Anchal Tola, P.S  
- Khiri More, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                    |   |                               |
|--------------------|---|-------------------------------|
| For the Petitioner | : | Mr. Nageshwar Singh, Advocate |
| For the State      | : | Mr. Raj Kishor Singh, APP     |
| For the Informant  | : | Mr. Shyam Kishore, Advocate   |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      25-02-2026                      Heard learned counsel for the petitioner, learned APP  
  
for the State as well as learned counsel appearing on behalf of  
  
the informant.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 379, 337 and 338 of the Indian Penal Code as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that the accused persons including the petitioner came and petitioner along with Subodh Yadav and Kulwant Yadav were carrying Bhala and they assaulted Awadhesh Yadav leading to his death, apart from other allegations.



4. Learned counsel for the petitioner submits that petitioner had earlier moved before this Court seeking anticipatory bail by filing Criminal Miscellaneous No.62592 of 2023 but then the same was sought to be withdrawn by an order dated 12.03.2024. Thereafter, petitioner again filed second anticipatory bail application being Criminal Miscellaneous No.50217 of 2024 and the same also was not entertained and was permitted to be withdrawn by an order dated 5.09.2024 and thereafter petitioner was arrested and is in custody since 19.04.2025. It is further submitted that from perusal of the allegations, as alleged in the FIR, it would manifest that allegation against petitioner Subodh Yadav and Kulwant Yadav is similar but then the allegation of assault is not specific. It is further submitted that Subodh Kumar had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No.75184 of 2023 and the same came to be allowed by an order dated 10.05.2024 passed by a learned Coordinate Bench. Further, Kulwant Yadav also approached this Court seeking regular bail by filing Criminal Miscellaneous No.30095 of 2023 and the same also came to be allowed by an order dated 19.08.2023 passed by a learned Coordinate Bench. It is thus submitted that the case of the petitioner if not akin is similar to



the case of Subodh and Kulwant thus, based on parity, the learned counsel seeks bail.

5. Learned APP for the State and the learned counsel appearing on behalf of the informant oppose the bail application but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that Subodh and Kulwant having similar allegation have already been enlarged on anticipatory and regular bail as recorded hereinabove but then the learned counsel appearing on behalf of the informant submits that charges against the petitioner have been framed and if privilege of bail is granted to the petitioner, the petitioner may abscond on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

6. Considering the submissions made by learned counsel for the petitioner and also taking into consideration the fact that petitioner is a person with clean antecedent, let 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, 1<sup>st</sup> Class, Danapur, Patna in connection with Khiri



More P.S. Case No.111 of 2022, subject to the condition that one of the bailors of the petitioner shall be his brother-in-law, Rajendra Yadav.

7. However, it is made clear that if the learned Trial Court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner or is not appearing in the trial or does not appear in the trial on two consecutive dates without any plausible explanation, in both the conditions, the learned Trial Court shall be at liberty to cancel the bail bond of the petitioner.

**(Satyavrat Verma, J)**

*Sanjay/-*

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

