

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70672 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- BADDI District- Rohtas

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1. Abhay Kumar Yadav @ Tufani Yadav @ Abhay Kumar Singh S/O Raj Balam Singh Yadav @ Raj Balam Singh
 2. Bajarangi Yadav @ Bajrangi Kumar S/O Raj Balam Singh Yadav @ Raj Balam Singh
 3. Krishna Yadav @ Krishna Kumar @ Krishna Singh S/O Sri Niwas Yadav @ Sri Niwas
 4. Sri Niwas Yadav @ Sri Niwas Singh S/O Bigu Yadav
- All are resident of village- Khatoliya, P.S.- Baddi, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajani Kant Pandey, Advocate
For the Opposite Party/s	:	Mr.Bharat Bhushan, APP
For the informant	:	Mr. Jai Prakash Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

4 24-02-2026 Heard Mr. Rajani Kant Pandey, learned counsel appearing on behalf of the petitioners; Mr. Bharat Bhushan learned APP for the State and Mr. Jai Prakash Singh, learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Baddi P.S. Case No. 125 of 2025 registered for the offence(s) punishable under Sections 126(2), 115(2), 118(1),



117(2), 351(2), 329(4), 303(2) and 3(5) of the BNS and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, the petitioners along with other co-accused with an intention to kill the informant and his family members started indiscriminate firing, in which the informant and his brother/Lalu Yadav sustained injuries.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent. There is land dispute between the parties. Petitioners and informant are *Gotia* and due to previous enmity, the petitioners have been roped in the present case. Petitioners no.1 and 2 have fired upon the informant Bhola Singh, who sustained three firearm injuries. In respect of petitioners no.3, learned counsel submitted that the allegation against him is ornamental in nature and injury sustained by the brother of the informant, which is attributable to petitioner no.3, is simple in nature. So far petitioner no.4 is concerned, he is innocent and no allegation has been alleged against him. At best, he can be said to be member of the mob. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Mr. Jai Prakash Singh, learned counsel, has



tendered his appearance on behalf of the informant and has submitted that the petitioners no.1 and 2 and one co-accused Pappu Singh @ Raj Kumar @ Raj Kumar Singh had indiscriminately fired upon the informant, as a result of which, he sustained three firearm injuries on different parts of the body, causing fatal injuries and the doctor has opined that injuries are grievous in nature. So far as petitioner no.3 is concerned, allegation against him is that he by means of butt of gun assaulted upon the head of the brother of the informant, though the injury is simple in nature. Petitioner no.4 was also associated in the commission of the alleged crime and, as such, petitioners don't deserve to be released on pre-arrest bail.

6. Learned APP for the State also vehemently opposed the prayer for grant of pre-arrest bail.

7. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that there is specific allegation against petitioners no.1, 2 and one Pappu Singh @ Raj Kumar @ Raj Kumar Singh, whose regular bail application has been dismissed by a co-ordinate Bench of this Court *vide* order dated 07.01.2026 passed in Cr. Misc. No.69175 of 2025. Considering the nature of allegation made against petitioners no.1 and 2, **petitioners no.1**



and 2 are directed to surrender and seek regular bail before the learned district court. In that case, the learned District Court is directed to consider the bail application of the petitioner after giving due consideration of the admitted enmity of the petitioners with the informant due to a piece of land.

8. So far as petitioners no.3 and 4 are concerned, considering the nature of allegation made against them and also the fact that injury sustained by the brother of the informant, which is attributable to petitioner no.3, is simple in nature, petitioners no.3 and 4 are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sasaram, District, Rohtas at Sasaram / Concerned Court in connection with Baddi P.S. Case No. 125 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

9. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail



application, this order will automatically lose its force.

10. The present bail application stands disposed of.

(Purnendu Singh, J)

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