

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74555 of 2025

Arising Out of PS. Case No.-68 Year-2018 Thana- PAHARPUR District- East Champaran

Munna Yadav S/o Kishundev Yadav R/O Vill.- Majhariya, P.S.- Malahi, Dist.-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Advocate Mr. Jainendra Kumar Pushkar, Advocate
For the Opposite Party/s :		Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 16-01-2026 Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.681 of 2023 (arising out of Paharpur P.S. Case no. 68 of 2018) registered under sections 302, 307, 147, 148 and 149 of the Indian Penal Code and sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that the ten named accused persons including the petitioner herein along with 2-3 unknown accused persons came variously armed and started to plough the land of the informant. On the informant asking them not to plough the land, it is stated that on the orders of co-accused Kishun Dev Yadav, the petitioner fired from his rifle hitting Devendra Yadav on his nose as a result of



which he fell down and died. Sonu Yadav and Rupesh Yadav are also said to have resorted to indiscriminate firing as a result of which several persons were injured. The local police reached the place of occurrence and took the tractor in their possession.

4. It is submitted by learned Senior counsel for the petitioner that the petitioner has been falsely implicated in the case. The cause of false implication is the land dispute between the parties. In spite of the petitioner being in custody for more than 3 years since 9.1.2023, the trial in the learned trial Court is not proceeding and there is no chance of the same concluding in the near future. Referring to the supplementary affidavit filed on behalf of the petitioner on 15.1.2026 it is submitted that charge was framed against the petitioner and others only on 6.1.2026, the same being under sections 302/149/307/149/147 and 148 of the Indian Penal Code and sections 25(1-B)(a), 26, 27 and 35 of the Arms Act. It is submitted that petitioner undertakes to cooperate in the trial and to abide by any conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned APP for the State.

7. Having heard learned counsel for the parties and



taking into consideration the allegations against the petitioner in the FIR, the petitioner having remained in custody for more than 3 years since 9.1.2023 and charge having been framed in the learned trial Court on 6.1.2026, in the facts of the case, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 681 of 2023 (arising out of Paharpur P.S. Case no. 68 of 2018 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-10, East Champaran, Motihari on the following conditions:

1. One of the bailors of the petitioner shall be the father/close relative of the petitioner.
2. The petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.
3. In case, the petitioner is absent on any single date for reasons not to the satisfaction of the the learned trial Court, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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