

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73607 of 2025**

Arising Out of PS. Case No.-108 Year-2025 Thana- MITHANPURA District- Muzaffarpur

Dindayal Yadav, age-29 years, Gender-Male, Son of Late Shiv Nandan Yadav  
@ Late Shiv Nand Yadav, Resident of Village- Bihrauna, Police Station-  
Baheri, District-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate  
For the Opposite Party/s : Mr. Upendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA**  
**ORAL ORDER**

3      21-01-2026                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Sessions Trial No. 790 of 2025 arising out of Mithanpura P.S. Case No. 108 of 2025 instituted for the offences punishable under Sections 109 and 61(2) of the BNS, 2023 and Sections 307, 120B of the Indian Penal Code as well as Section 27 of the Arms Act.

3. As per the prosecution case, two unknown criminals came and shot the son of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that petitioner is not named in the FIR and nothing incriminating articles has



been recovered from the conscious possession of the petitioner and he has been surfaced in this only on the basis of mere suspicion. He further submits that during investigation the investigating officer observed the CCTV footage and came to the conclusion that the son of the informant was shot. He next submits that the petitioner is neither put on Test Identification Parade nor there is any recovery of any incriminating articles. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 13.05.2025.

5. Learned APP for the State and learned counsel for the informant opposes the prayer for bail of the petitioner and submits that the petitioner is a professional criminal and does not deserve bail.

6. From perusal of the FIR, case diary and also perused the impugned order dated 12.09.2025 passed by the learned 3<sup>rd</sup> Additional Sessions Judge, Muzaffarpur, it appears that allegation against this petitioner is specific that he has fired on the son of the informant, which has proved by the CCTV footage. The motorcycle used in the occurrence was found and it belongs to the petitioner namely Dindayal Yadav. From perusal of the case diary at paragraph no. 11, this motorcycle was recovered from the possession of the petitioner when the police



raided the house and arrested him. The petitioner has also admitted his involvement in the conspiracy in his confessional statement which led the police to four other criminals who had come on Black Scorpio Vehicle No. UP13CK/5058, which was further verified from CCTV footage as well. Charge sheet has already been submitted against the petitioner and further the investigation is going on, so considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

8. The petitioner may renew his prayer for bail before the trial Court after completion of one year of custody.

**(Ramesh Chand Malviya, J)**

Anand Kr.

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