

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76268 of 2025

Arising Out of PS. Case No.-364 Year-2023 Thana- GOGRI District- Khagaria

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Kumod Kumar @ Rajeev Kumar Yadav @ Kumod Yadav S/o Rambilas
Yadav R/O Village- Usri, P.S.- Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-02-2026 Heard Mr. Vivekanand Singh, learned counsel for

the petitioner, Mr. Choubey Jawahar, learned APP for the State

and perused the case diary.

2. The petitioner seeks bail in connection with Gogri
P.S. Case No. 364 of 2023, instituted for the offences punishable
under Sections 302, 120(B) of the Indian Penal Code, read with
Sections 25(1-B)(a), 26(1), 27(1) and 35 of the Arms Act.

3. Earlier, anticipatory of the petitioner has been
rejected by this Court vide order dated 27.09.2024 passed in Cr.
Misc. No. 35406 of 2024.

3. The prosecution case, in short, is that the petitioner
along with other co-accused persons made firing upon the elder
son of the informant due to which the deceased sustained



gunshot injury on his left chest and he died at the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submitted that the allegation levelled against the petitioner is not specific rather the same is general and omnibus in nature. It is next submitted that two unknown person have made firing upon the deceased. The petitioner is in custody since 09.07.2025 and has got five criminal antecedents. Learned counsel for the petitioner further submitted that other co-accused have been granted regular bail by this Court vide order dated 02.07.2025 passed in Cr. Misc. No. 19491 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Gogri P.S. Case No.
364 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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