

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76764 of 2025

Arising Out of PS. Case No.-202 Year-2004 Thana- GAYA MUFASIL District- Gaya

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1. Mahendra Yadav S/o Late Kesar Yadav Resident of Village- Mayapur, P.S.- Muffasil, District- Gaya,
 2. Rajendra Yadav S/o Late Kesar Yadav Resident of Village- Mayapur, P.S.- Muffasil, District- Gaya,

... .. Petitioner/s

Versus

The State Of Bihar Advocate General Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 19-02-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 448, 307, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Petitioners along with other accused persons are said to have abused and threatened the informant and also started firing with licensee rifle.

4. Learned counsel for the petitioners submits that the petitioner no. 1 was granted bail by the learned court below vide order dated 16.05.2005 passed in B.P. No. 272 of 2005 while petitioner no. 2 was granted bail vide order dated 10.06.2005



passed in B.P. No. 309 of 2005(Annexure-P/2 to the supplementary affidavit). Further, the bail bond of the petitioners was cancelled in the year 2008 on ground of misuse of bail and now the petitioners are in custody since 20.08.2025 and the stage of the case would show that the charges have been framed against the petitioners on 01.12.2025 and there are total 9 charge-sheeted witnesses. No witness has turned up despite summons, as such, there is no likelihood of the conclusion of the trial in near future.

5. Learned APP for the State has opposed the application for bail.

6. Taking into consideration the facts and circumstances and also considering the fact that the petitioners are now in custody since 20.08.2005 and the charges have also been framed, let the above named petitioners, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mufassil P.S. Case No. 202 of 2004, subject to the conditions that the petitioners shall appear on each and every date till conclusion of trial and if the petitioners do not appear on two consecutive dates without



any substantial and satisfactory reason, the learned court below
would be at liberty to cancel their bail bonds.

(Soni Shrivastava, J)

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