IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77064 of 2026

CNR No. BRHC011105232026

Arising Out of PS. Case No.-234 Year-2026 Thana- SHASTRINAGAR District- Patna

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Naresh Yadav Son of Late Nathun Yadav R/O Rattu Bigha, P.S.- Ghosi, District - Jehanabad

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dhirendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP appearing on behalf of the State.

2. This is an application for grant of regular bail to the petitioner who has been made accused in connection with Shastrinagar P.S. Case No. 234 of 2026 registered for the offences punishable under Sections 109, 62(2) and 3(5) of the B.N.S, 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, the informant was sleeping in his cowshed when some persons allegedly came outside and started firing. The informant sustained gun shot injury and the shooter were identified as Onkar, close relative of the informant, one as Ravi, son of Shubham's grandmother along with one unknown person. After firing, the accused

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persons allegedly fled away and the informant's daughter was called, who took the informant for medical treatment.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent, has committed no offence and has falsely been implicated in this case because of long lasting land dispute between the parties. The petitioner is not named in the FIR. The name of the petitioner has transpired on the basis that the petitioner happens to be the cousin brother of the co-accused, Mithilesh Yadav, who happens to be the *samdhi* of the informant and the presence of the petitioner near the place of occurrence, since his residence was near by.

5. It is further submitted that no suspicion was raised by the informant during the investigation against the petitioner and no statement under Section 180 of B.N.S.S. was made against the petitioner. Further, it is stated that arms were allegedly recovered from the hut outside the petitioner's residence and no recovery was made from the conscious possession of the petitioner. The petitioner submits that he had no knowledge of the seized articles. Moreover, no separate Arms Act case was registered against him. During the investigation, no witnesses have given their statement against the petitioner.

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6. The Co-ordinate Bench of this Hon'ble Court vide order dated 03.09.2026 in Cr. Misc No. 53011 of 2026 have granted bail to other co-accused namely, Deepak Kumar and Mithilesh Yadav. The petitioner is languishing in judicial custody since 18.04.2026 and having one criminal antecedent in which he is on bail. Investigation has been completed and chargesheet has already been submitted.

7. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into consideration the materials available on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M- IX, Patna in connection with Shastrinagar P.S. Case No. 234 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be

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physically present by the court, he should physically appear in the court on that date.

(iii) if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

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