

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75762 of 2025

Arising Out of PS. Case No.-218 Year-2025 Thana- DARBHANGA SADAR District-
Darbhanga

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Lal Bihari Yadav S/O Late Sajgir Yadav R/O Village- Ranipur, P.S- Sadar,
Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Advocate Mr. Girish Chandra Jha, Advocate Mr. Ashish, Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 24-02-2026 Heard Mr. Devendra Kumar Sinha, learned Senior

Counsel for the petitioner and Mr. Bharat Bhushan, learned APP

for the State.

2. The petitioner is apprehending arrest in connection
with Sadar P.S. Case No. 218 of 2025 instituted under Sections
109, 3(5) of the Bhartiya Nayay Sanhita, 2023 and section 27 of
the Arms Act lodged on 05.07.2025 by the informant, Manish
Kumar.

3. As per the prosecution story, the informant alleged
that as he was going for his duty and was having tea near his
house, the accused persons in two-three motorcycles came and
opened fire. He anyhow saved himself and could identify Vishal
Yadav and Vicky Yadav. The reason is the reliazation of tax



from the bus depot and he had seen them illegally realizing the tax from the said place. This led to the FIR.

4. Learned Senior Counsel for the petitioner submits that only because he has multiple criminal antecedents, has been falsely implicated in the case. The fact remains that though in the said occurrence, Vishal Yadav has named him in the confessional statement of the accused, no role has been attributed to him save and except his presence. The categorical submission is that opening of fire has not been attributed to him either.

5. The last submission is that Lalu Yadav who also has criminal antecedents has been granted relief in Cr. Misc. No. 83162 of 2025 by a coordinate bench of this Court.

6. Learned APP Mr. Bharat Bhushan opposes the prayer submitting that he has multiple criminal antecedents and the person whom the petitioner identified has also named him.

7. Considering the submissions of the parties, though he has multiple criminal antecedent, the role of firing has not been attributed to him and similar situate, Lalu Yadav has been granted relief, as recorded above, in that background, this Court is inclined to extend him by the accused who made the confessional statement the privilege of anticipatory bail.



8. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Sadar P.S. Case No. 218 of 2025 to the satisfaction of learned C.J.M., Darbhanga subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance and at the end of the period a certificate be submitted



before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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