

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80384 of 2025

Arising Out of PS. Case No.-106 Year-2024 Thana- BANGAWON District- Saharsa

Brajesh Kumar Son of Suchen Yadav @ Shochin Yadav @ Suchan Yadav R/o
Village- Garahiapatti Ward No. 10, P.S.- Bangaon, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 16-01-2026 Heard Mr. Amarnath Jha, learned counsel for the
petitioner and Mr. Umesh Lal Verma, learned APP for the State.

2. The petitioner has prayed for bail in connection with ST. No. 53 of 2025 arising out of Bangaon P.S. Case No. 106 of 2024 registered for the offence punishable under Sections 103(1), 61(2), 54, 351(3) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. The case of the prosecution in short is that unknown miscreants killed the father of the informant while he was in a salon. The name of this petitioner has surfaced during the course of investigation in the confessional statement of the co-accused, namely, Ashish Kumar. In the confessional statement of Ashish Kumar, it has come out that he gave the weapon of assault to the petitioner for concealing the same in



the house of Hariom.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. From perusal of paragraph 66 of the case diary, it transpires that this petitioner has disclosed to the police that the weapon of assault has been concealed in the house of Hariom, and the same was recovered from the house of Hariom. Learned counsel for the petitioner also submits that earlier the bail petition of this petitioner was rejected vide order dated 04.04.2025 with an observation that the petitioner is at liberty to renew his prayer for bail after six months if the trial is not concluded. It has also been submitted that the stage of trial has been called for from the learned trial court, according to which four witnesses have been examined and four remain to be examined. Learned counsel for the petitioner also submits that the only material against the petitioner that has come through the confessional statement of the co-accused is that he has concealed the weapon of assault in the house of Hariom. There is no allegation against this petitioner of making any assault with the weapon of assault. It has further been submitted that similarly situated co-accused persons, namely, Raja Kumar,



Santosh Kumar, and Anil Yadav, have also been granted bail by the coordinate bench of this court as well as by this court in Cr. Misc. Nos. 15604 of 2025, 74652 of 2025, and 9899 of 2025, respectively. The case of this petitioner stands on similar footing. He further submits that the petitioner is languishing in judicial custody since 20.08.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-II, Saharsa in connection with S.T. No. 53 of 2025 arising out of Bangaon P.S. Case No. 106 of 2024.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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