

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87783 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- BIHRA District- Saharsa

1. Jay Krishna Yadav @ Jai Krishna Kumar @ Jay Krishna Kumar S/o Late Sitaram Yadav R/o Village - Laxminiya, Ward No. 1, P.S - Bihira, District - Saharsa
2. Dilip Yadav @ Dilip Kumar S/o Dukhi Yadav @ Dukha @ Dukha Yadav R/o Village - Laxminiya, Ward No. 1, P.S - Bihira, District - Saharsa
3. Mithilesh Yadav @ Mithilesh Kumar S/o Dukhi Yadav @ Dukha @ Dukha Yadav R/o Village - Laxminiya, Ward No. 1, P.S - Bihira, District - Saharsa
4. Rajaram Yadav @ Rajaram Kumar S/o Sitaram Yadav R/o Village - Laxminiya, Ward No. 1, P.S - Bihira, District - Saharsa
5. Sunil Kumar @ Sunil Yadav @ Sunil S/o Devanand Yadav R/o Village - Laxminiya, Ward No. 1, P.S - Bihira, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-01-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 190, 115(2), 118(1), 109(1), 303(2), 329(3), 352 and 351(2) of the BNS.

3. Learned counsel for the petitioners submits that petitioners no. 1, 4 and 5 have antecedent of one case, petitioner no. 2 has antecedent of three cases and petitioner no. 3 has antecedent of four cases and the informant alleges that on



08.03.2025, at about 03:30 p.m., the accused persons came and Jay Krishna Yadav (petitioner no. 1) and Dilip Yadav (petitioner no. 2) fired at her son, namely, Manoj Yadav but he managed to save himself and thereafter Bhupendra Yadav fired at Kalyani Devi @ Sudama Devi but missed. Further, Rajaram Yadav (petitioner no. 4) assaulted Kalyani Devi @ Sudama Devi by an iron rod causing injury on her head. Thereafter, the accused thought that Kalyani Devi @ Sudama Devi died, as such, the accused persons hatched a conspiracy and Sunil Kumar @ Sunil Yadav @ Sunil (petitioner no. 5) shot Jay Krishna Yadav on his thigh so that a case is instituted against the informant and her side. Further, on orders of Dukha Yadav, women accused looted cash and jewellery.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that as far as petitioners no. 1 and 2 are concerned, the allegation against them of firing is ornamental as no one was injured. It is next submitted that no specific allegation of assault or firing is alleged against the petitioner no. 3 but then it is fairly submitted that as far as petitioner no. 4 is concerned, he is alleged to have assaulted Kalyani Devi @ Sudama Devi by an iron rod causing injury on



her head. It is also submitted that the informant's son shot Jay Krishna Yadav but then informant very wisely implicated Sunil Kumar @ Sunil Yadav @ Sunil (petitioner no. 5) alleging that after the accused thought that Kalyani Devi @ Sudama Devi was dead, they hatched a conspiracy and Sunil Kumar @ Sunil Yadav @ Sunil fired at Jay Krishna Yadav. It is further submitted that from the side of the petitioners Bihra P.S. Case No. 52 of 2025 has been instituted against the informant and her side wherein it is alleged that it was Bhabesh who fired causing firearm injury to Jay Krishna Yadav. It is next submitted that why Sunil Kumar @ Sunil Yadav @ Sunil (petitioner no. 5) would have shot Jay Krishna Yadav when it is alleged that he had come from the side of accused persons at the place of occurrence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that the injury suffered by Kalyani Devi @ Sudama Devi has been opined to be grievous as recorded in the order impugned and the petitioners are alleged to have fired.

6. After hearing the learned counsel for the parties, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner no. 4, namely, Rajaram Yadav @ Rajaram



Kumar, accordingly, his prayer for anticipatory bail is rejected.

7. As far as other petitioners are concerned, considering the submissions made by the learned counsel for the petitioners no. 1 to 3 and 5, let the petitioners no. 1 to 3 and 5 above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Bihra P.S. Case No. 58 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Satyavrat Verma, J)

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