

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79761 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- CHAUSA District- Madhepura

=====

Satyam Yadav @ Satyam Kumar Son of Late- Jay Prakesh Yadav @ Late
Prakash Yadav Resident of Village - Dhuria, Kalasan, Ward No. 14, P.S. -
Chausa, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 29-01-2026 Heard Mr.Pawan Kumar, learned counsel for the

petitioner and Mr.Dr.Mrityunjaya Kr.Gautam, learned A.P.P. for

the State.

2. The petitioner seeks bail, who is in custody since

13.02.2025 in connection with Chausa P.S. Case No. 309 of

2024, F.I.R. dated 03.12.2024 registered for the offence

punishable under Sections 103(1) of BNS and Section 27 of the

Arms Act.

3. The prosecution case as per written report of

informant who is alleging there in that on 02.12.2024 son of

informant went to Kamp Balia village with his wife and

thereafter son of informant was going to Puraini after left his

wife. At about 05-5:30 hours in the evening when the son of



informant was driving in four-wheeler vehicle at Arajpur Jamunia Tola then four persons riding with two motorcycle stopped the vehicle of the son of informant and fired thereafter son of informant has sustained injury then police and villagers reached there and son of informant went to the primary health center Chausa with the help of police and villagers, where doctor has declared dead.

4. Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Sittu Kumar. Learned counsel for the petitioner submits that from a bare perusal of the confessional statement of co-accused person, namely, Sittu Kumar that it has been transpired that co-accused persons, namely, Sittu Kumar and Nitish Kumar have fired upon the victim, although the petitioner was present at the place of occurrence and except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 13.02.2025.



5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was involved in the present crime in question and apart from the aforesaid, the phone of the petitioner was found near the place of occurrence. Further submits that the petitioner carries four more cases other than the present one but fairly submits that out of four cases, the petitioner is on bail in one case and rest three cases are pending for consideration before the competent court of law, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Udakishunganj, Madhepura in connection with Chausa P.S. Case No. 309 of 2024, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

