

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80807 of 2025

Arising Out of PS. Case No.-309 Year-2020 Thana- SAUR BAZAR District- Saharsa

Birendra Yadav @ Brahmdeo Yadav @ Virendra Yadav S/o Late Ghuran
Yadav R/o Vill- Pathraha, P.S.- Ghailarh, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Vikram

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 147, 148, 149, 341, 323, 302, 120(B), 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. The informant alleges that on 06.08.2020 at about 11.00 P.M., the petitioner along with 12 other accused persons and 3-4 unknown came to the house of the informant, variously armed, and shot his uncle when the deceased was resting on his cot. He further alleges that the said occurrence took place on account of dispute relating to land and it is specifically alleged that it was co-accused Nirmal Kumar @ Angil Yadav, who shot the deceased on his chest and co-accused Sarvesh Kumar shot



on the arms of the deceased, on account of which, he died.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case by informant. Petitioner is son-in-law of the deceased. He submits that wife of the deceased also instituted a case, vide Sour Bazar P.S. Case No. 347 of 2020 wherein she has specifically stated that it was informant of the present case, who is assailant of her husband. No specific overt act has alleged against this petitioner. Co-accused Nirmal Kumar @ Angil Yadav has been granted regular bail by a coordinate Bench of this Court, vide order dated 17.05.2022 passed in Cr.Misc. No. 71782 of 2021. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged 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 Judicial Magistrate I, Saharsa / concerned Court in connection with Saur Bazar P.S. Case No. 309 of 2020, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha



Sanhita, 2023.

(Prabhat Kumar Singh, J)

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