

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.88210 of 2025**

Arising Out of PS. Case No.-123 Year-2025 Thana- MANIHARI District- Katihar

Suphal Yadav @ Sufal Kumar Yadav S/o Late Bisu Yadav Resident of Village  
- Pagalbari, P.S.- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                |
|----------------------|---|----------------------------------------------------------------|
| For the Petitioner/s | : | Mr. P.K.Sinha, Advocate<br>Md. Musowir, Advocate               |
| For the State        | : | Ms. Asha Devi, APP                                             |
| For the Informant    | : | Mr. Umesh Kumar Yadav, Advocate<br>Mr. Rambabu Yadav, Advocate |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      24-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Manihari P.S. Case no.123 of 2025 registered under sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and one another are said to have come and fired from their respective firearms. While the shot fired by the petitioner aimed at the informant missed, it is stated that the shot fired by co-accused Guddu Yadav hit the son of the informant namely Mukesh Kumar Yadav who died on the spot.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. No such occurrence as alleged in the FIR has taken place. The manner of occurrence is other than what has been narrated in the FIR. In any case of the matter so far as the shot fired by the petitioner is concerned, no injury was caused to any person including the informant. The petitioner is in custody since 8.5.2025 and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that there is direct and specific allegation against the petitioner and one another of having fired upon the informant and his son. The son of the informant died in the occurrence. The trial has commenced with two out of the seven chargesheet witnesses having been examined on behalf of the prosecution and as per instructions received, they have supported the prosecution case also against this petitioner. Once the petitioner is enlarged on bail, he will not permit the trial to conclude.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, one person having died in the occurrence, the trial having commenced with two out of the seven chargesheet



witnesses examined on behalf of the prosecution, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. It is directed that the informant shall produce all the remaining non-official witnesses on each date fixed in the learned trial Court and the learned trial Court will expedite the trial.

**(Partha Sarthy, J)**

Saurabh/-

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