

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90906 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- KAJRA District- Lakhisarai

1. Foso Yadav S/o Late Kamal Yadav R/o Village - Basuhar, P.S. - Kajra, District - Lakhisarai
2. Chhotu Yadav S/o Mahendra Yadav R/o Village - Basuhar, P.S. - Kajra, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-02-2026 Heard the learned counsel for the petitioners and
learned counsel for the State.

2. The petitioners apprehend arrest in connection with Kajra P.S. Case No. 97 of 2025 registered for offences under Sections 126(2), 115(2), 351, 352, 190 and 191(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioners are accused of firing. The informant alleges that the petitioners, along with five other co-accused persons, reached his house and at the instance of petitioner No. 1, they fired five rounds into the air. The informant opened his window to witness the incident, during which petitioner No. 2 and others fired shots



at him, though none of the shots hit him. Petitioner no. 1 has one criminal antecedent, whereas petitioner no. 2 has three criminal antecedents.

4. After some arguments, the learned counsel for the petitioners seeks permission to withdraw the application filed on behalf of the petitioner no. 2.

5. Permission, as prayed, is granted.

6. Accordingly, the application filed on behalf of the petitioner no. 2, Chhotu Yadav is dismissed as withdrawn.

7. So far as petitioner No. 1, Foso Yadav, is concerned, the learned counsel for the petitioners submits that petitioner No. 1 is merely an order giver. He further submits that while allegations have been made regarding aerial firing, no pellets have been recovered from the place of occurrence.

8. Learned APP for the State has vehemently opposed the prayer for bail.

9. Considering the facts and circumstances of the case, the prayer of the petitioner no. 1 for anticipatory bail is allowed.

10. Accordingly, let the petitioner, above-named, in the event of arrest or surrender within four weeks from today in the Court below, be released on anticipatory bail on furnishing



bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai/concerned Court below in connection with Kajra P.S. Case No. 97 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

11. Accordingly, the application is partly allowed.

(Sandeep Kumar, J)

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