

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3188 of 2026

Arising Out of PS. Case No.-67 Year-2025 Thana- MAHISHI District- Saharsa

Manoj Yadav S/o Shri Sikendra Yadav R/o Village- Tilathi, P.S- Kanariya,
Dist- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-04-2026 Heard Mr. Diwakar Prasad Singh, learned counsel
for the petitioner as well as Mr. Sanjay Kumar Sharma, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
18.03.2025 in connection with Mahishi P.S. Case No. 67 of
2025, F.I.R. dated 03.03.2025 for the offences punishable under
Sections 103(1), 61(2), 3(5) of the Bharatiya Nyay Sanhita,
2023 and Section 27 of Arms Act.

3. According to prosecution case, the informant
alleged that the petitioner along with other accused persons
conspired and shot his son, who died during treatment at Primary
Health Center, Mahishi.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case merely on the basis of suspicion and except suspicion, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. It is next submitted that confessional statement of co-accused persons have been recorded in paragraph nos.22, 25 and 26 of case diary in which they have clearly stated that co-accused Boua Yadav and Badri Yadav have fired upon the son of the informant and they have also stated that petitioner has active role as liner in the present occurrence and similarly situated co-accused persons, namely, Hardeo Yadav and Sanoj Yadav have been granted the privilege of bail by the co-ordinate Bench of this Court vide order dated 15.11.2025 in Cr. Misc. No. 49722 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 18.03.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 the learned Chief



Judicial Magistrate, Saharsa in connection with Mahishi P.S.
Case No. 67 of 2025, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

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