

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91778 of 2025

Arising Out of PS. Case No.-306 Year-2025 Thana- BHARGAMA District- Araria

1. Vishnudev Yadav @ Bishnudev Yadav S/o Ram Avatar Yadav
2. Indra Kumar S/o Kirtu Yadav @ Krityanand Yadav
Both Resident of Village- Navtol Dhaneshwari, Ward No. 13, P.S.-
Bhargama, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2026

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Bhargama P.S. Case no.306 of 2025 registered under sections 191(2), 191(3), 190, 126(2), 127(2), 103(1), 303(2), 308(6), 326(g), 324(6), 352, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that as a result of prior land dispute with Guddu Yadav, 22 named accused persons including the two petitioners herein as also 10-15 unknown accused persons came variously armed. Birendra Yadav and Guddu Yadav were carrying pistols and Guddu Yadav was shouting that all of them should be killed.



Thereafter on the instigation of Guddu Yadav, it is stated that Navin Yadav and Bhavesh Yadav pushed the motorcycle so that it fell on the ground. Tuntun Yadav struck the fuel tank of the motorcycle as a result of which the petrol started to flow and thereafter the accused persons set the house on fire as a result of which her husband was burnt to death. The informant further states that Guddu Yadav also resorted to firing and he and his men prevented any person coming to rescue of her husband.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. Neither there is any dispute between them and the informant nor they are in any manner involved in the occurrence. Except for the petitioners being named among the 22 accused persons, no overt act has been alleged against them. They are in custody since 31.8.2025 and have no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the FIR, no specific overt act having been alleged against the petitioners inspite of 22 named accused persons and 10-15



accused persons alleged to have participated in the occurrence, the participation with respect to setting the house on fire being mainly against Navin Yadav, Bhavesh Yadav and Tuntun Yadav, the petitioners having remained in custody for over 6 months since 31.8.2025 and chargesheet having been submitted in the case, the Court directs both the petitioners to be enlarged on bail in connection with Bhargama P.S. Case no.306 of 2025 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria.

(Partha Sarthy, J)

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