

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15254 of 2025

Arising Out of PS. Case No.-749 Year-2024 Thana- BEUR District- Patna

Shishupal Kumar @ Shishupal Yadav Son of Yashwant Kumar Resident of
Kanhaiya Nagar, P.S- Phulwarisharif, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Usha Kumari Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-05-2025 Heard Ms. Usha Kumari Singh, learned counsel for
the petitioner and Mr. Abhay Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Beur P.S. Case No. 749 of 2024, F.I.R. dated 15.12.2024 for the offences punishable under Sections 115(2), 352, 351(2), 351(3), 3(5) of the Bhartiya Nyay Sanhita, 2023 and 27 of Arms Act.

3. As per the First Information Report, the informant alleged that on 12.12.2024 the petitioner came to his house when he went to hospital with his family. When the informant returned and asked him, the petitioner disclosed his name as Shishupal Yadav then the informant warned him not to do such act again. On 15.12.2024, the petitioner along with 7-8



miscreants came to informant's native village and abused and threatened the informant and opened fire and fled away.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Although during investigation the witnesses have supported the case of the prosecution but they have not disclosed the name of the petitioner.

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

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and nothing came during investigation which suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 A.C.J.M-1st, Patna in connection with Beur P.S. Case No. 749 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /



Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and
with other 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 bond 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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