

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32789 of 2025

Arising Out of PS. Case No.-573 Year-2024 Thana- PIRPAINTI District- Bhagalpur

Sumit Kumar Yadav @ Nikku S/O Kailash Yadav Resident of Village-
Madhuban Tola, PS- Pirpanti, Distt-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar No.6, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Pirpanti P.S. Case No.573 of 2024 registered for the offences punishable under Section 126(2), 115(2), 109, 352, 125(a), 132, 195(1), 125(b), 3(5) of the BNS and Section 3/4 of Prevention of Property Act. Petitioner has two criminal antecedents.

3. As per the prosecution case, the informant, a police personnel has stated the he received a complaint that the petitioner along with his mother were abusing and assaulting one Shailesh Kumar and when the police party reached at the place of occurrence, the petitioner is alleged to have pelted stones upon the police due to which two persons, namely, ASI Rabindra Kr. Singh and Ramashish Paswan (informant) got injuries and the petitioner as well as the other co-accused persons fled away.



4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely because he carries two criminal cases registered against his name, however, no such occurrence has taken place. The learned counsel further submits that from perusal of the injury report it would suffice that all the injuries sustained by the injured persons are simple in nature. It has also been submitted that chargesheet has already been submitted and the petitioner is in judicial custody since 21.03.2025.

5. The learned A.P.P. for the State has opposed the prayer for bail and has stated that the petitioner has assaulted the police personnel in the present case and has two criminal antecedents.

6. Considering the aforesaid submissions made by the respective parties and taking into account that the injuries sustained by the police party are simple in nature and also taking into account the fact that the petitioner is custody since 21.03.2025, 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 court of learned Judicial Magistrate-1st Class, Bhagalpur in connection with Pirpanti P.S. Case No.573 of 2024, subject to



the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bonds.

(v) The learned 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 bonds 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.

(Sourendra Pandey, J)

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