

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36888 of 2025

Arising Out of PS. Case No.-185 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Daulat Mishra @ Daulat Kumar S/O Umesh Mishra @ Sarpanch R/O Village-
Akopur, Police Station- Cheriya Bariyarpur, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv

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

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 20-06-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Sections 126(2), 115(2),
118(1), 118(2), 109(1) and 3(5) of the B.N.S. and Section 27 of
the Arms Act.

3. As per the prosecution case, the informant alleged
that three persons namely, Deoki Nandan Bharti, Sujeet Kumar
and Dault Kumar (petitioner) came to his house on motorcycle
and thereafter it is alleged that Deoki Nandan Bharti fired upon
his daughter hitting her on her abdomen and thereafter the co-
accused Sujit Kumar is also alleged to have fired, however, the
said shot did not hit her.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case merely because he was an onlooker to the said incident. It is further submitted that there is a land dispute between the family of the petitioner and the co-accused Deoki Nandan Bharti. The learned counsel has further submitted that specific allegation of firing upon the daughter of the informant is upon co-accused Deoki Nandan Bharti. The learned counsel for the petitioner submits that charge sheet has already been submitted. It is also submitted that similarly situated co-accused person has already been granted bail by this Court vide order dated 20.05.2025 passed in Cr. Misc. No. 31849 of 2025. It is lastly submitted that the petitioner has one criminal antecedent and is in custody since 20.02.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner was part of the mob which had attacked on the daughter of the informant, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that no specific overt act has been assigned to the petitioner and also considering the period of custody, let the petitioner above-named, be enlarged



on 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 Court concerned, Begusarai, in connection with Cheriya Bariyarpur P.S. Case No. 185 of 2024, subject to the following conditions:-

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

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

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

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

(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 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.

7. The application stands allowed.

(Sourendra Pandey, J)

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