

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40561 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- ROHTAS District- Rohtas

Yashwant Sharma @ Yaswant Mistri@Jasvant Sharma Son of Janki Sharma
R/o Village - Baskatiya, PS-Rohtas, Distt.- Rahtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Swati Parmar, Advocate

For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2025 Heard Mrs. Swati Parmar, learned counsel for the

petitioner and Mrs. Anita Kumari, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Rohtas P.S. Case No. 46 of 2025, F.I.R. dated 17.03.2025 for the offences punishable under Sections 115(2), 126(2), 117(2), 109, 303(2), 352, 351(3) and 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that on 14.03.2025, on the occasion of Holi festival while he was going to Village-Kushdihra to meet his friends, the petitioner along with other accused persons stooped his vehicle and started abusing and assaulted him by means of iron rod. It is further alleged that the accused persons snatched Rs.2,000/-



from his pocket.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although the petitioner is named in the FIR but there is no specific allegation of assault or overt act against him rather specific allegation is attributed against co-accused person, namely, Jitan Sah, Abhay Kumar and Nivash Patel and petitioner may be the member of the mob.

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

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner and the petitioner has clean antecedent, 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 Judicial Magistrate, Rohtas at Sasaram in connection with Rohtas P.S. Case No. 46 of 2025, 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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