

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42613 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- SAHEBPUR KAMAL District- Begusarai

Bhopal Yadav @ Bhupal Kumar Yadav S/O Pramanand Yadav R/O Village-
Heera Tola, PS- Sahebpur Kamal, District- Begusarai

\ Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-10-2025 Heard Mr. Sabal Kumar Jha, learned counsel for the

petitioner and Mr. Sanjay Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sahebpur Kamal P.S. Case No.25 of 2025, F.I.R. dated 05.02.2025 for the offences punishable under Sections 191(2), 223, 352, 109(1) of the Bhartiya Nyay Sanhita, 2023 and under Section 25(1-B)a, 26, 35, 27 of Arms Act.

3. As per the First Information Report, the informant along with other police personnel were standing at Zero Mile Golamber and saw that 8 persons over 3 different motorcycles were going towards village Hiratol and among one of them passing by shouting and waving his hand having weapon. When the police followed them one person fired over police. Anyhow



the police caught the person who fired over them but rest of the accused persons fled away and the apprehended person disclosed the name of the petitioners.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. It appears from the FIR and seizure list that recovery has been made from co-accused person and on the basis of disclosure made by apprehended co-accused person, namely, Ravi Kumar Yadav, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that similarly situated co-accused person, namely, Om Kumar @ Om Prakash @ Om Prakash Kumar has been granted the privilege of anticipatory bail by this Court in Cr. Misc. No. 26370 of 2025 vide order dated 01.05.2025 and other co-accused persons, namely, Ram Pravesh Yadav @ Jahra and other has been granted the privilege of anticipatory bail by co-ordinate Bench of this Court in Cr. Misc. No. 33376 of 2025 vide order dated 22.05.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner transpired on the basis of disclosure made by apprehended co-accused person and apart



from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, name of the petitioner transpired on the basis of disclosure made by apprehended co-accused person and similarly situated co-accused persons have been granted the privilege of anticipatory bail by this Court or Co-ordinate Bench of this Court , 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-IV, Begusarai in connection with Sahebpur Kamal P.S. Case No.25 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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