

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43514 of 2025

Arising Out of PS. Case No.-330 Year-2022 Thana- TEGHRHA District- Begusarai

Abhishek Kumar Son of Bharat Yadav R/O Village- Purwari Yadav, Tola
Asinchak, P.S.- Dalsingsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-07-2025 Heard Mr. Krishna Prabhat, learned counsel for the

petitioner as well as Mr. Mukesh Kumar Singh, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
28.03.2025 in connection with Teghrha P.S. Case No. 330 of
2022, F.I.R. dated 01.12.2022 for the offences punishable under
Sections 120(B), 302, 379 & 34 of the Indian Penal Code and
Section 27 of Arms Act.

3. According to prosecution case, the informant
alleged that on 29.11.2022 at about 4:00 P.M, after receiving a
phone call, his father left the shop and when he tried to contact
him, his mobile phone was switched off. On search, the
informant's father was found lying on the side of the road in
injured condition, without his motorcycle and mobile.



Thereafter, the informant's father was taken to hospital where he was declared dead. It is further alleged that due to land dispute, one Santosh Sharma and Rameshwar Sharma, in conspiracy have killed his father.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. The petitioner is not named in the FIR and the name of the petitioner has been transpired merely on the basis of confessional statement of co-accused persons, namely, Vikash Kumar Sharma and the said Vikash Kumar Sharma has been granted the privilege of bail by this Court vide order dated 18.09.2023 in Cr. Misc. No. 38503 of 2023 and other similarly situated co-accused person, namely, Vishal Kumar Sharma has been granted the privilege of anticipatory bail by this Court vide order dated 18.04.2025 in Cr. Misc. No. 24991 of 2025. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 28.03.2025.

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



6. Considering the aforesaid facts and circumstances and the fact petitioner has clean antecedent and the petitioner is not named in the FIR and his name has been transpired merely on the basis of confessional statement of co-accused person and similarly situated co-accused persons have been granted the privilege of bail by this Court, 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 learned C.J.M, Begusarai in connection with Teghrha P.S. Case No. 330 of 2022, subject to the 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Suruchi/-

U		T	
---	--	---	--

