

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43112 of 2025

Arising Out of PS. Case No.-249 Year-2023 Thana- BARAHAT District- Banka

Sharad Yadav S/o- Dhanushdhari Yadav Village- Mirzapur, Police Station-
Barahat, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-07-2025 Heard Mr. Ajay Mukherjee, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State.

2.The petitioner seeks regular bail in connection with
S. T. No. 442 of 2024 arising out of Barahat P.S. Case No. 249
of 2023 registered for the offences under Sections 147, 148,
149, 341, 323, 307, 506 of the Indian Penal Code and Section 27
of the Arms Act.

3. Earlier the bail application of the petitioner was
rejected in Cr. Misc. No. 73264 of 2024 (Sharad Yadav Vs.
State) on 05.02.2025.

4. As per the prosecution story, the informant alleged
that while the petitioner was constructing house at his land,
upon objection, came armed variously and assaulted causing
serious injury on the head beside injuries given to his son. As
the informant was going towards the Police Station, the accused



persons resorted to firing but upon arrival of the Police, escaped. This led to the FIR.

5. Learned counsel for the petitioner submits that he has no role to play in the matter, the allegation is omnibus though he concede that he has criminal antecedent and has remained in custody since 09.08.2024. The further submission is that if granted bail, he shall be diligently appearing in trial.

6. Mr. Bharat Bhushan, learned APP opposes the prayer submitting that the injury on head was grievous.

7. Taking into account the submissions of the parties as also the period of custody, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned District and Additional Sessions Judge, III, Banka in connection with S.T. No. 442 of 2024 arising out of Barahat P.S. Case No. 249 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight till the conclusion of the trial.

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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