

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46825 of 2025

Arising Out of PS. Case No.-150 Year-2022 Thana- HASANPUR District- Samastipur

Mahesh Kumar S/o Shivnandan Yadav Resident Of Village- Awas Tole, Ps-
Khagaria, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party/s : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-07-2025 Heard Mr. Jai Kishor Poddar, learned counsel for the

petitioner and Mr. Nityanand, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
24.03.2025 in connection with Hasanpur P.S. Case No. 150 of
2022, F.I.R. dated 28.05.2022 registered for the offence
punishable under Sections 147,148,149,337,338,302 of the
Indian Penal Code.

3. The prosecution case, in short, is that the informant
alleged that on 26.05.2022 the petitioner alongwith other co-
accused persons came at the house of the informant and started
demanding money Rs.30,000/- from her *Bhainsur* Kari Yadav
which was given to him for compromise in a case, but due to



refusal by him all of them started assaulting to him by means of fist and slaps as well as *lathi*, *danda*, and due to which his legs injured. She further alleged that on the same day when her *Bhainsur* was hidden in a cane field then this petitioner alongwith other accused persons came and started searching to him, and he searched to him in a cane field and from there all of them accused persons caught to him and started brutally assault to him, due to which he sustained grievous injuries and during the course of taking away to the hospital he died in the way.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. The allegation as alleged in the F.I.R. is false and fabricated. It appears that the present case is counter blast of Hasanpur P.S.Case No.149 of 2022. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against the petitioner on the basis of viral video footage and the similarly situated co-accused person, namely, Pulinder Yadav @ Fulinder Yadav has been granted bail by this Court vide order dated 24.07.2023 passed in Cr. Misc. No. 53793 of 2022 and the police after investigation has submitted charge-sheet against the petitioner



and the petitioner is in custody since 24.03.2025.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has three criminal antecedents 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 all the pending matters.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner made in the F.I.R. and the co-accused person, namely, Pulinder Yadav @ Fulinder Yadav has been granted 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 learned Additional District Judge-1st, Rosera, Samastipur in connection with Hasanpur P.S. Case No. 150 of 2022 (S.T. No. 569 of 2022), with 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/her absence on two consecutive dates without sufficient reason, his/her 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)

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