

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61976 of 2025

Arising Out of PS. Case No.-154 Year-2025 Thana- GHOSI District- Jehanabad

Kaushlendra Yadav @ Koushlendra Prasad son of Late Sidheswar Yadav
Resident of Village- Uber, Ps- Ghosi, dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gautam, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-09-2025 Heard Mr. Gautam, learned counsel for the petitioner

and Ms. Sucheta Yadav, learned Additional Public Prosecutor for

the State.

2. The petitioner is apprehending his arrest in connection
with Ghosi P.S. Case No. 154 of 2025, F.I.R. dated 03.04.2025 for
the offences punishable under Sections 126(2), 115(2), 109, 352,
351(2), 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report on 01.04.2024,
when the informant was taking away his buffalo, in the meantime,
petitioner along with other co-accused persons came and abused
and assaulted him. It is further alleged that one of the accused
persons fired upon him with intention to kill him but somehow the
informant saved his life.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the present occurrence took place on 01.04.2025 but the FIR was lodged on 03.04.2025 i.e. after delay of two days without giving any reason for delay. Although there is specific allegation against the petitioner that the petitioner along with others have assaulted the informant and he received but the injury report of the informant suggest that the injury inflicted upon him is simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner in the FIR 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 has been acquitted in the said matter.

6. Considering the aforesaid facts and circumstances and the fact that the injury inflicted upon the informant is simple in nature and the FIR has been lodged after delay of two days, 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 Chief Judicial Magistrate, Jehanabad in connection with Ghosi P.S. Case No. 154



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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