

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68848 of 2025

Arising Out of PS. Case No.-307 Year-2025 Thana- RAJGIR District- Nalanda

Shishupal Yadav @ Shishupal Kumar Son of Uday Yadav Resident of village
- Shahpur, P.S.- Rajgir, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-09-2025 Heard Mr. Pramod Kumar Sinha, learned counsel for
the petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Rajgir P.S. Case No. 307 of 2025 , F.I.R. dated 01.06.2025 for
the offences punishable under Sections 126(2), 115(2), 117(2),
303(2), 109(1), 352, 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, on 30.05.2025, at
around 5 P.M, the petitioner along with other accused persons in a
drunken state came towards the informant and asked him to park
his motorcycle somewhere else or be ready to face consequences.
It is further alleged that when the informant went to attend nature's
call, then the petitioner along with other accused persons came and
assaulted him by means of iron rod, stick and butt of pistol.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although the petitioner is named in the FIR but from bare perusal of the FIR it appears that FIR is in two parts, in first part there is general and omnibus allegation against the petitioner and in the second part there is specific allegation against co-accused person, namely, Kara Yadav who assaulted to the informant by butt of the pistol and it appears from the injury report of the injured person that injury inflicted upon him is simple in nature.

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

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner and the petitioner has clean antecedent and injury inflicted upon injured person is simple in nature, 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 C.J.M. Nalanda at Biharshariff in connection with Rajgir P.S. Case No. 307 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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