

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77941 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- BITHAN District- Samastipur

Shravan Yadav @ Shravan Kumar S/o Upendra Yadav Resident of Village-
Karanchi Ramnagar, P.S.- Bithan, District- Samastipur,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Singh, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Avinash Kumar Singh, learned counsel for
the petitioner and Mr. Braj Kishore Pd., learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Bithan P.S. Case No. 27 of 2025, F.I.R. dated 16.03.2025 for
the offences punishable under Sections 126(2), 115(2), 118(1),
117(2), 109, 308(5), 352, 351(2), 351(3), 3(5) of the Bhartiya
Nyay Sanhita, 2023.

3. As per the prosecution case, on March 15, 2025, at
8:00 AM, while the informant was walking near his doorstep with
his maternal grandson, three co-villagers namely Manoj, Budhan,
and Shravan (petitioner) arrived on a motorcycle driven by
Shravan (petitioner). According to the allegation, Budhan,
following Manoj's instruction, fired at the informant, injuring his
right hand and his grandson's thigh. The accused then allegedly



fled on the motorcycle, threatening to kill the family if they contacted police.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR are false and fabricated. On perusal of the FIR, it appears that though the petitioner was present at the place of occurrence but the specific allegation of firing is on co-accused Budhan and the petitioner was only driving the motorcycle in question and there is no allegation against the petitioner that he has fired upon the victim.

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

6. Considering the aforesaid facts and circumstances, though the petitioner is named in the FIR there is no specific allegation of firing against the petitioner and it was co-accused Budhan who fired upon the victim and the petitioner has clean antecedent, 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 Judicial Magistrate 1st Class, Rosera at Samastipur in connection with Bithan P.S. Case No. 27 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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