

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2085 of 2026

Arising Out of PS. Case No.-150 Year-2025 Thana- BARACHATTI District- Gaya

Guddu Kumar Son of Sitaram Yadav Resident of Village- Somiya, P.S.-
Barachatti, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Aryan Singh, Advocate
For the Opposite Party : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-01-2026 Heard Mr. Aryan Singh, learned counsel for the
petitioner and Mr. Lalan Kumar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.04.2025 in connection with Barachatty P.S. Case No. 150 of
2025, F.I.R. dated 25.04.2025 for the offences punishable under
Sections 311 and 312 of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, while the informant
has been carrying garlic in a pickup van, the vehicle suffered a
puncture. While the informant and his father-in-law had been
changing tyre, some miscreants came there and tried to drag
away the informant and in the scuffle the clothes of the
informant was torn. The miscreants also assaulted the father-in-
law of the informant and later on, shot him.



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 F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. The petitioner is not named in the F.I.R.. The name of the petitioner has been surfaced on the basis of the confessional statement of the co-accused person, namely, Vinay Kumar. He further submits that, co-accused persons, namely, Suryadeo Kumar and Vinay Kumar have been granted bail by a co-ordinate Bench of this Hon'ble Court vide order dated 15.01.2026 passed in Cr. Misc. No. 1026 of 2026 and Cr. Misc. No. 1366 of 2026 respectively. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 25.04.2025.

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

6. Considering the aforesaid facts and circumstances as well as petitioner having clean antecedent and he is not named in the FIR, 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



the learned Additional Chief Judicial Magistrate-II, Gaya in connection with Barachatty P.S. Case No. 150 of 2025, subject to 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 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 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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