

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4076 of 2026

Arising Out of PS. Case No.-76 Year-2025 Thana- KIUL District- Lakhisarai

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Amit Kumar @ Adhik Yadav @ Amit Yadav @ Amit Kumar Yadav S/O
Umesh Yadav R/O Village- Lakhochak, P.S- Kiul, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rizwanul Haque, Advocate
For the State : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2026 Heard Mr. Rizwanul Haque, learned counsel for the

petitioner and Mr. Bhanu Pratap Singh, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
10.09.2025, in connection with Kiul P.S. Case No. 76 of 2025,
F.I.R. dated 09.09.2025 registered for the offences punishable
under Sections 126(2), 115(2), 117, 109(1), 103(1), 3(5) of the
B.N.S. and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he along
with other F.I.R. named accused persons came and surrounded
the informant's brother, assaulted brutally and also assaulted the
informant's wife and his sister-in-law. It is further stated that
one other accused person namely Umesh Yadav took out pistol
and shot informant's brother in head due to which informant's



brother died on the way of Hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that although the petitioner is named in the F.I.R. but from perusal of the F.I.R. it appears that the F.I.R. is in two parts, in first part, there is specific allegation against the petitioner and other co-accused persons that they have assaulted the wife of the informant and in the second part, there is specific allegation of firing attributed against co-accused person, namely, Umesh Yadav that he has fired upon the brother of the informant, namely, Chotu Kumar and he died. Learned counsel for the petitioner further submits that although wife of the informant has received four injuries but the injury nos. 1 and 2 are simple in nature and the injury nos. 3 and 4 are grievous in nature but there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons that they have assaulted to the wife of the informant and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 10.09.2025.

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



petitioner and submits that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact 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, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Luckhisarai in connection with Kiul P.S. Case No. 76 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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