

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6278 of 2026

Arising Out of PS. Case No.-116 Year-2025 Thana- SAUR BAZAR District- Saharsa

Sudhakar Kumar @ Sudhakar Yadav S/O Kailash Yadav R/O Village- Suhath,
P.s.- Sour Bazar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2026 Heard Mr. Chandra Mohan Jha, learned counsel for
the petitioner and Dr. Ajeet Kumar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
09.07.2025 in connection with Saur Bazar P.S. Case No. 116 of
2025, F.I.R. dated 12.04.2025 for the offences punishable under
Sections 109 and 3(5) of the BNS, 2023 and Section 27 of the
Arms Act.

3. According to prosecution case, due to some dispute
the co-accused persons fired upon the grand mother of the
informant due to which she received injury on her waist and
another co-accused pressed her neck with an intention to kill
her.

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 initially the petitioner was informant of the present case and during investigation the petitioner has been made accused in the present case. He further submits that statement of the victim, namely, Lana Devi was recorded before the police in which she has categorically stated that the co-accused, namely, Ajay Kumar fired upon her but later on police has implicated the petitioner on the basis of secret information which was recorded in the paragraph no. 30 of the case diary and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present case but the police have disbelieved the statement of the victim which was recorded in paragraph no. 17 of the case diary in which she has stated that the co-accused has fired upon her. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 09.07.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired during investigation in the present occurrence and apart from that the petitioner carries one criminal antecedent of similar



nature other than the present one fairly submits that the prosecution has lodged two F.I.R for the same occurrence.

6. Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Saharsa in connection with Saur Bazar P.S. Case No. 116 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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