

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15081 of 2026

Arising Out of PS. Case No.-539 Year-2025 Thana- PALIGANJ District- Patna

Shiv Shankar Kumar Son of Sri Omprakash Yadav R/o Vill - Preyachak @
Pandeychak, P.S - Paliganj, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Jyoti Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-04-2026 Heard Ms. Jyoti Kumari, learned counsel for the

petitioner as well as Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
22.11.2025 in connection with Paliganj P.S. Case No. 539 of
2025, F.I.R. dated 14.11.2025 for the offences punishable under
Sections 126(2), 115(2), 117(2), 109(1), 74, 303(2), 79, 352,
3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, it is alleged that
when the informant was cleaning the drainage in the house, in
the meantime, petitioner along with other co-accused came
together armed with sticks, poles and iron and they abused and
blocked the drain. Upon protest, the accused persons assaulted
him.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. It appears from the FIR that due to some petty dispute the present occurrence has taken place. Although there is specific allegation against the petitioner that he has assaulted the informant by means of iron rod but the injury report of the informant suggest that injury inflicted upon him is simple in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 22.11.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and apart from that petitioner carries four criminal antecedent other than the present one but fairly submits on the basis of supplementary affidavit filed on behalf of the petitioner that the petitioner is on bail in the said matters.

6. Considering the aforesaid facts and circumstances, injury inflicted upon the injured person is simple in nature, 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 S.D.J.M.,



Danapur in connection with Paliganj P.S. Case No. 539 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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