

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12865 of 2026

Arising Out of PS. Case No.-543 Year-2025 Thana- SITAMARHI District- Sitamarhi

Adarsh Srivastava @ Adarsh Kumar @ Aadarsh Kumar @ Adarsh Kumar
Srivastava S/o Sujit Kumar @ Sujit Kumar Srivastava Resident of Village -
Koat Bazar Maharani Asthan, Ward no. 13, P.S - Sitamarhi, District -
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-04-2026 Heard Mr.Shankar Kumar, learned counsel for the
petitioner and Mr.Choubey Jawahar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
02.09.2025 in connection with Sitamarhi P.S. Case No. 543 of
2025, F.I.R. dated 02.08.2025 registered for the offence
punishable under Sections 109(1),351(3),3(5) of BNS, 2023.

3. Allegation against the petitioner is that he fired
upon the informant causing injuries on his stomach.

4. Learned counsel appearing for the petitioner
submits that although there is specific allegation against the
petitioner that he has fired upon the victim. Learned counsel for
the petitioner submits that in fact no such occurrence has taken
place due to admitted land dispute the present occurrence had



taken place and both the parties are agnates to each other, apart from that, there is no injury report available on the record which suggests that the victim has received any firearm injury and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 02.09.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one but he fairly submits that out of three cases, the petitioner is on bail in the two cases, and rest one case is pending for consideration before the competent court of law, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 543 of 2025, with 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/her absence on two consecutive dates without sufficient



reason, his/her 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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