

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17500 of 2026

Arising Out of PS. Case No.-6 Year-2026 Thana- SIKRAUL District- Buxar

Bashisth Chaubey @ Bashisthmuni Chaubey Son of Late Ramji Chaubey R/o
Village - Bhakhwa, P.S - Sikraul, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Alias Ashok Karn
For the Opposite Party/s	:	Mr. Binod Kumar
For the Informant	:	Mr. Om Prakash
		Mr. Uday Shankar Pandey
		Mr. Prabhakar Dubey

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-05-2026 Heard the learned counsel for the petitioner, the learned APP for the State and the learned counsel for the informant.

2. The petitioner seeks regular bail in connection with Sikraul P.S. Case No. 06 of 2026 registered for the offence punishable under Sections 191(2), 191(3), 126(2), 115(2), 109, 50, 61(2), 103(1), 351(2), 352 of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and others had gone to the place of occurrence to forcibly harvest the agricultural field, and in the process, *Kanhaiya Chaubey* allegedly fired a shot and killed the deceased. The petitioner and



other accused persons are also said to have assaulted the prosecution side, causing injuries to four persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. The petitioner is in custody since 07.01.2026 and has no criminal antecedents. It is further submitted that the petitioner is a *bataidar* and has been falsely implicated in this case. He has not assaulted anybody and is a 70-year-old person.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for bail. It is submitted that co-accused Priyank Kumar Upadhyay @ Priyank Upadhyay and Shubham Upadhyay, who are not named in the FIR but are alleged to have participated in the crime, had moved for bail before this Court, which was rejected on 01.04.2026 in Cr. Misc. No. 19999 of 2026.

6. I have considered the submissions of the parties and have gone through the records of the case. Though the petitioner is named in the FIR but considering the age of the petitioner and the period of custody, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is



pending/successor Court in connection with Sikraul P.S. Case
No. 06 of 2026 subject to conditions that:-

(i). The petitioner shall appear before the court below on each and every date physically till the framing of charge, and thereafter he shall appear during the trial regularly, either personally or through his counsel. He shall cooperate in the trial, and any non-cooperation in the trial shall result in cancellation of his bail bond.

(ii). At the time of accepting the bail bonds of the petitioner, the Court below shall verify the fact whether the petitioner has clean antecedent or not. If it is found that the petitioner has clean antecedent then only his bail bonds shall be accepted by the Court below. However, it is made clear that 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.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

Shishir/-

U		T	
---	--	---	--

