

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21280 of 2026**

Arising Out of PS. Case No.-176 Year-2025 Thana- SANHAULA District- Bhagalpur

Brajesh Yadav Son of Pugal Yadav R/o Village - Milki, P.S. - Sanhaula,
District -Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar @Deepak Sahay, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 31-03-2026 Heard Mr.Sanjeev Kumar @Deepak Sahay,

learned counsel for the petitioner and Mr.Anil Kumar, learned

Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
07.12.2025 in connection with Sanhaula P.S. Case No. 176 of
2025, F.I.R. dated 01.10.2025 registered for the offence
punishable under Sections 126(2), 115(2), 118(1), 117(2), 110,
61(2), 3(5) of BNS.

3. Allegation against the petitioner is that he
alongwith other co-accused persons in planning assaulted
with iron rod and lathi on the head, mouth and hand of the
husband of the informant with intention to kill due to which
blood oozed out and they threw him in “Danr” believing that



he has died.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated. It appears from the FIR itself that the informant is not the eye witness of the alleged occurrence. From a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 16.09.2025 at 10.30 AM but the present FIR has been instituted on 01.10.2025 at 12.30 hrs after delay of about 15 days without giving any explanation of delay, afterthought only to falsely implicate the petitioner and other family members, apart from the aforesaid, it appears from the FIR that although the petitioner is named in the FIR 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 including the petitioner and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 07.12.2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has



clean antecedent and there is no specific allegation of any assault or overt-act attributed against the petitioner in the FIR, 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 Judicial Magistrate-1st Class, Bhagalpur in connection with Sanhaua P.S. Case No. 176 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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