

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22734 of 2026

Arising Out of PS. Case No.-102 Year-2024 Thana- SAKATPUR District- Darbhanga

Sanjay Yadav @ Sanjay Kumar Yadav S/O Raj Kumar Yadav @ Rajkumar
Yadav R/O Vill.- Phulwan, P.S- Sakatpur, District- Darbhanga

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-04-2026 Heard Mr. Jitendra Kumar Bharti, learned counsel
for the petitioner and Ms. Nirmala Kumari, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sakatpur P.S. Case No. 102 of 2024, F.I.R. dated 13.10.2024 for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115, 352 and 109 of the BNS, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, all the accused persons including this petitioner with an intention to kill the informant fired upon him and also fired in the air.

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 although the petitioner is



named in the FIR but from perusal of the FIR it appears that there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against this petitioner and the specific allegation is against the co-accused, namely, Vivek Yadav.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one but fairly submits that he is on bail in the pending matter. Apart from that the petitioner has actively participated in the present crime in question.

6. Considering the aforesaid facts and circumstances that there is no specific allegation of assault against the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate-I, Darbhanga in connection with Sakatpur P.S. Case No. 102 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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