

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26159 of 2026

Arising Out of PS. Case No.-563 Year-2023 Thana- JAHANABAD District- Jehanabad

Shiv Kumar @ Tuntun Yadav Son of Mathura Yadav Resident Of Village
-Gaulakshani, Ps- Jehanabad, DIst- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mr. Arvind Prasad Singh, learned counsel for
the petitioner as well as Mr. Pranav Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
10.02.2026 in connection with Jehanabad P.S. Case No.
563/2023, F.I.R. dated 18.06.2023 for the offences punishable
under Sections 341, 323, 325, 307, 379, 504, 506 and 34 of the
Indian Penal Code.

3. According to prosecution case, on 10-06-2023, at
about 7-00 A. M., the informant was at his house, then all of a
sudden, the petitioner Shiv Kumar @ Tuntun Yadav being his
brother, entered into his house and assaulted by means of *khanti*
on he head and elbow of left hand of the informant whereas co-
accused persons also entered into the house and began to abuse



the informant. It is further alleged that when the informant's wife came there to rescue, then co-accused Lav Kush Kumar pointed his pistol from his waist and threatened to kill. It is further alleged that the co-accused Sunaina Devi dashed the informant's wife to the ground whereas the co-accused Khushboo Kumari snatched ear-ring from the wife of the informant. The injured was brought to Sadar hospital, Jehanabd from where he was referred to PMCH, Patna.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated. Learned counsel submits that the informant is full brother of the petitioner and due to some land dispute the present occurrence has taken place. Although, there is specific allegation against the petitioner of assaulting the informant by means of iron rod but there is no intention to kill anyone and due to spur of moment the present occurrence took place. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 10.02.2026.

5. The learned Additional Public Prosecutor have 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 on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter. It is further submitted that there is specific allegation against the petitioner of assaulting the informant who happens to be his full brother.

6. Considering the aforesaid facts and circumstances, 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 C.J.M. Jehanabad in connection with Jehanabad P.S. Case No. 563/2023, 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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