

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23458 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- DALSINGHSARAI District- Samastipur

Shubham Sah @ Subham Kumar @ Subham Sah S/O Pravin Kumar Gupta
R/O Village- Sardarganj (Masjid Ke Peche), P.S.- Dalsingsarai, Dist.-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

3 06-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Dalsingsarai P.S. Case No. 09 of 2026, registered for the offence punishable under Sections 191(2), 191(3), 191, 126(2), 115(2), 121(2), 121(1), 132, 109(1), 324(4), 324(5), 352, 351(2), 351(3) of the B.N.S.

3. The case of the prosecution, in short, is that on 10.01.2026 at about 10.00 A.M., the informant along with other police officials were on patrolling duty, in the meantime, he received information that one person died in road accident and nearby people were creating nuisance. Then informant along with police officials reached there and saw nearby people were shouting slogans against police administration. Further, he came to know that driver of truck bearing registration No.



WB238/1514 was driving very rashly and negligently and met an accident and one Uttam Das died due to which nearby persons obstructed the road and attacked upon the police party with Lathi, danda, bricks, stones etc. The local Chowkidar identified them and also from CCTV footage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He further submits that he has falsely been implicated in the present case. There is general and omnibus allegation against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner and the petitioner has one criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. From a careful perusal of the allegations levelled in the FIR, it transpires that the petitioner was member of the mob and there is general and omnibus allegation against the petitioner. Nothing specific has been levelled against the petitioner. No incriminating material has been recovered from the petitioner. The petitioner has also only one criminal antecedent, which has been appropriately disclosed in paragraph 3 of the application. Considering all these aspects of the matter,



this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, 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 A.C.J.M.-I, Dalsingsarai, Samastipur in connection with Dalsingsarai P.S. Case No. 09 of 2026, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to the further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case 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, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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