

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29718 of 2026

Arising Out of PS. Case No.-413 Year-2025 Thana- ROH District- Nawada

Piyush Kumar S/O Sharan Yadav @ Sarvan Yadav Resident Of Village -
Bhatta, P.S- Roh, District - Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the State : Mr. Anil Kumar Singh No. 1, APP

For the Informant : Mr. Aatish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-05-2026

Heard Mr. Sheo Kumar Prasad, learned counsel

for the petitioner, Mr. Anil Kumar Singh No. 1, learned
Additional Public Prosecutor for the State and Mr. Aatish
Kumar, learned counsel for the Informant.

2. Petitioner seeks bail who is in custody since 13.12.2025 in connection with Roh P.S. Case No. 413 of 2025, F.I.R. dated 06.12.2025 for the offences punishable under Sections 190, 191(2), 191(3), 126(2), 115(2), 118(1), 118(2), 117(2), 117(4), 109, 74, 303(2), 352, 351(2), 103(2) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant



alleged that the petitioner along with other accused persons tied her husband on the pretext of theft and beat him badly, burnt him by heated iron rod and seriously injured him. It is further alleged that husband of the informant died on the way when he was taken from Pawapuri Hospital to PMCH for treatment.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. It appears from the FIR itself that informant is not the eye witness of the alleged occurrence and she has filed false case against the petitioner on the basis of information furnished by her brother-in-law. He next submits that although the deceased (husband of the informant) had given his dying declaration but he has not stated name of the petitioner. It also appears from the FIR that there is no specific allegation of assault or overt act against him rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 13.12.2025.

5. The learned Additional Public Prosecutor as well as learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner and submit that petitioner is



named in the FIR and deceased had stated the entire incident before his death. He further submits that petitioner carries two criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matters.

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 Judicial Magistrate-Ist Class, Nawada in connection with Roh P.S. Case No. 413 of 2025, 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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