

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32710 of 2026

Arising Out of PS. Case No.-66 Year-2025 Thana- Hathiyav District- Sheikhpura

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Swarath Yadav @ Swarath Kumar S/o Saudhar Yadav @ Sodhar Yadav
Resident of village - Dharampur, P.S - Hathiyawan, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-05-2026 Heard Mr. Sheo Nandan Prasad, learned counsel for

the petitioner and Mr. Aditya Narayan Singh. 1, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
09.02.2026 in connection with Hathiyawan P.S. Case No. 66 of
2025, F.I.R. dated 03.12.2025 for the offences punishable under
Sections 329(3), 126(2), 115(2), 109(1), 352 and 3(5) of the
BNS, 2023.

3. According to prosecution case, all the accused
persons including this petitioner have abused and assaulted the
informant and his son by means of axe due to which his son
received head injury.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. As per the allegation in the FIR, the petitioner has assaulted to the son of the informant by means of axe due to which he received injury. He further submits that due to some petty dispute the present occurrence has taken place and the injury received by the injured person is simple in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 09.02.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner in the FIR and petitioner carries two criminal antecedents other than the present one but he is on bail in the pending matter.

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 CJM, Sheikhpura in connection with Hathiyawan P.S. Case No. 66 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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