

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38733 of 2026

Arising Out of PS. Case No.-34 Year-2026 Thana- HALSI District- Lakhisarai

Dayanand Kumar S/O Upendra Yadav Resident of village - Khuriyari, P.S. -
Hilsi, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.03.2026 in connection with Halsi P.S. Case No. 34 of 2026
for the offences punishable under Sections 115(2), 126(2), 352,
351(2), 109(1), 3(5) of BNS and Section 27(1) of the Arms Act.

3. Prosecution case, in brief, is that on alleged date
06.02.2026 at about 12:00 PM informant was going to his filed
on motorcycle and during that three persons along with
petitioner with intention to kill started throwing bricks from the
rooftop of petitioner which hit his head and he sustained head
injury. Thereafter, informants started to run away to save
himself but this petitioner fired two bullets and co-accused fired
three bullets. There were other people in the house whom he



could not identify and these people had the intention to kill him.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR . It is further submitted that it appears from the FIR 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 or firing is attributed against the petitioner rather the allegations are general and omnibus in nature. It is next submitted that there is a case and counter-case between both the parties. Learned counsel for the petitioner next submits that police after investigation has submitted charge-sheet and petitioner is in custody since 17.03.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

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 ACJM-IV, Lakhisarai in connection with Halsi P.S. Case No. 34 of



2026, 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)

Gaurav Sinha/-

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