

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38699 of 2026

Arising Out of PS. Case No.-196 Year-2025 Thana- SIRISIYA District- West Champaran

Jatashankar Prasad @ Jatashankar Kushwaha Son of Late Rama Prasad
Resident of Village- Sabeya Chargaha, P.S.- Sirisiya, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brij Kishore Mishra, Advocate
	:	Mr. Avinash Raj, Advocate
For the Opposite Party/s	:	Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard Mr. Brij Kishore Mishra, learned counsel for
the petitioner as well as Md. Ataur Rahman, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
19.01.2026 in connection with Sirisiya P.S. Case No. 196 of
2025, F.I.R. dated 23.11.2025 for the offences punishable under
Sections 126(2), 118(1), 109 and 3(5) of the Bharatiya Nyay
Sanhita, 2023 and 27 of Arms Act.

3. According to prosecution case, the informant
alleged that on 22.11.2025, when he went to attend a marriage
ceremony then, while returning, the petitioner along with other
co-accused persons suddenly came and said to kill him.
Thereafter one of the accused persons fired upon him due to



which he got injured and thereafter taken to hospital for treatment.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. The petitioner is not named in the FIR and from bare perusal of the FIR it appears that co-accused, Alok Mishra has fired upon the informant due which the informant received injury. He next submits that there is no specific allegation against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 19.01.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner had accompanied with the co-accused persons and apart from that petitioner carries three criminal antecedents in which he has been acquitted in one case and on bail in two cases.

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 First Class, Bettiah, West Champaran in connection with Sirisiya P.S. Case No. 196 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)

Suruchi/-

U		T	
---	--	---	--

