

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40150 of 2026

Arising Out of PS. Case No.-841 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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Badebabu Yadav @ Bara Babu Yadav @ Bade Babu Yadav S/O Dhura Yadav
R/O Gram-Tribirwa, PS- Gopalganj, District- Gopalganj, Bihar, Pin Code-
841428

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Amaresh Kumar Sinha, Advocate
		Mr. Ravi Prakash Dwivedi, Advocate
		Mr. Dhiraj Yadav, Advocate
For the Opposite Party/s :		Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard Mr. Amaresh Kumar Sinha, learned counsel
for the petitioner and Mr. Syed Mojibur Rahman, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.11.2025 in connection with Gopalganj P.S. Case No. 841 of
2025, F.I.R. dated 16.11.2025 for the offences punishable under
Sections 126(2), 115(2), 118(1), 103(1), 352 and 3(5) of the
BNS, 2023.

3. According to prosecution case, all the accused
persons including this petitioner armed with weapons have
caught hold the father of the informant and co-accused Dhura
Yadav assaulted him due to which he received injury resulting



into his death.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although the petitioner is named in the FIR but the specific allegation of assault is against the co-accused, namely, Dhura Yadav. As per the allegation, this petitioner along with other accused persons have caught hold the father of the informant (deceased) and there is no specific allegation against this petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 17.11.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has actively participated in the present crime in question and he along with other accused persons have caught hold the deceased.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no specific allegation of assault against the petitioner as well as period of custody, 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



Chief Judicial Magistrate, Gopalganj in connection with
Gopalganj P.S. Case No. 841 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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