

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44250 of 2026

Arising Out of PS. Case No.-176 Year-2024 Thana- BARIYARPUR District- Munger

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Sumo Yadav S/O ShailendraYadav R/vill- Sotipul Pariya, P.S.- Bariyarpur,
Distt-Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Bariyarpur P.S. Case No. 176 of 2024 instituted for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 125, 303(2), 324(4) and 324(5) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per the prosecution case, 10-15 unknown persons came to the sweet shop of the informant and when the payment was asked to the informant, the said accused persons took out weapon and fired upon him and other miscreants pelted stones resulting in head injury to the informant.



4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has transpired during the course of investigation on the basis of information given by a spy. It has further been submitted that he has only been implicated on account of the fact that the petitioner has three criminal antecedents. It has been submitted that there is no specific allegation against the petitioner rather the allegations are general and omnibus and on account of the fact that the petitioner is not named in the FIR he was not aware that his name is surfacing in the present case and therefore, he moved for anticipatory bail belatedly.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Munger in connection with Bariyarpur P.S. Case No. 176 of 2024, subject to the conditions as laid down under Section 482



of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner and the other shall be a local resident:

(ii) the petitioner will remain physically present on each and every date fixed by the Court below, if so required by the learned Trial Court and shall cooperate in the investigation;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) 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 bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) If the petitioner, in future, is found to be involved in similar nature of offence, the prosecution shall be at liberty to move for cancellation of his bail bonds.

(vi) in view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police concerned within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.



7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The petition stands disposed of accordingly.

(Sourendra Pandey, J)

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