

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43432 of 2026

Arising Out of PS. Case No.-48 Year-2026 Thana- MAHESHKHUNT District- Khagaria

Rajesh @ Rajesh Yadav Son of Bandelal Yadav Resident of Village - Sapha,
P.S. - Maheshkhunt, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-07-2026 Heard Mr.Ranjan Kumar Singh, learned counsel for
the petitioner and Mr.Ajay Kumar Jha, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
23.03.2026 in connection with Maheshkhunt P.S. Case No.48 of
2026 registered for the offence punishable under Sections
126(2), 115(2), 109, 352,351(2), 351(3) & 3(5) of the BNS and
Section 27 of Arms Act.

3. The case of the prosecution, in short, is that the
petitioner along with others started abusing and assaulting the
husband of the informant. It is specifically alleged that on
exhortion of one Binay Kumar, Nikesh Yadav fired with country
made pistol and Ranvir Kumar Ranjan assaulted with lathi to the
informant.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent. It appears from the FIR that although the petitioner is named in the FIR but there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against the petitioner. Specific allegation of firing is attributed against co-accused person, namely, Nikesh Yadav and similarly situated co-accused person, namely, Brajesh Kumar @ Brajesh Yadav has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 01.07.2026 passed in Cr. Misc. No.42977 of 2026, the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 23.03.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner and similarly situated co-accused person has been granted bail by a Coordinate Bench of this Hon'ble Court, 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 learned Sub Divisional Judicial Magistrate,



Khagaria/Concerned Court at Khagaria in connection with Maheshkhunt P.S. Case No.48 of 2026, with 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/her absence on two consecutive dates without sufficient reason, his/her 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)

Nitesh/-

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