IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77518 of 2026

CNR No. BRHC011058262026

Arising Out of PS. Case No.-335 Year-2017 Thana- GHORASAHAN District- East Champaran

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Umesh Rai @ Umesh Prasad Yadav S/O Ram Chandra Prasad Yadav Resident of Village- Kachurbari, P.S.- Harpur(Adapur), Distt- east Champaran, Pin-845301

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Kumari Rashmi, Adv.
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in connection with Ghorasahan P.S. Case No. 335 of 2017 lodged on 05.07.2017, for the offence punishable under Sections 302, 120(B) and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged against eight named accused persons including the present petitioner. It has been alleged by the informant that all the accused persons in connivance with each other have assaulted the informant's both sons by dangerous weapons due to which,

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both died on the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that in the investigation, final form has been submitted against the present petitioner after finding no cogent evidence, but the court of A.C.J.M., has taken cognizance *vide* order dated 20.02.2026 against the present petitioner and others and this creates apprehension of arrest to the petitioner. Counsel submits that the similar co-accused persons against whom cognizance has been taken has moved before this Hon'ble Court and the Co-ordinate Bench of this Court *vide* Annexure-P/4 series has pleased to grant anticipatory bail to them. He further submits that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that final form has been submitted, but the court of A.C.J.M., has taken cognizance and thereafter, petitioner has moved for anticipatory bail and in the similar facts and circumstances, other co-accused persons have already been granted anticipatory bail by the Co-ordinate Bench of this Court.

6. As such, in the present facts and circumstances of the case, let the above-named petitioner be released on bail, in

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the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of A.C.J.M. 1st Class, Sikrahna, (Dhaka), East Champaran, Motihari, in connection with Ghorasahan P.S. Case No. 335 of 2017, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. The Trial Court is directed to verify the criminal antecedent(s) of the petitioner, and in case, it is found that the petitioner has concealed his criminal antecedent(s), then the Trial Court shall take steps for cancellation of bail bond of the petitioner.

(Dr. Anshuman, J)

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