

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86655 of 2025**

Arising Out of PS. Case No.-102 Year-2024 Thana- SAKATPUR District- Darbhanga

Ramesh Kumar @ Ramesh Yadav son of Rambalak Yadav Resident of
Village- Bahuarwa Police Station- Sakatpur District -Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. Nilendu Kumar Choudhary, learned
counsel for the petitioner and Mr. Mohammed Arif, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sakatpur P.S. Case No. 102 of 2024, F.I.R.
dated 13.10.2024 for the offences punishable under Sections
191(2), 191(3), 190, 126(2), 115, 352, 109 and 27 of the BNS,
2023 and Section 27 of the Arms Act.

3. According to prosecution case, all the accused
persons including this petitioner assaulted and fired upon the
informant and fled away.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Although the petitioner is named in the F.I.R but it appears from the F.I.R that there is no specific allegation of assault, overt act or firing against the petitioner rather the specific allegation of firing is against the co-accused, namely, Vivek Yadav who has fired upon the informant and fled away from the place of occurrence. The petitioner has been made accused in the present case due to some village politics.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner along with other accused persons with common intention fired upon the informant and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances that there is no specific allegation of assault, overt act or firing attributed against the petitioner and the specific allegation of firing is attributed against the co-accused Vivek Yadav, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of



thirty days from the date of receipt of the order, 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 J.M. 1st Class, Darbhanga in connection with Sakatpur P.S. Case No. 102 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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