

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85749 of 2025

Arising Out of PS. Case No.-370 Year-2025 Thana- JAHANABAD District- Jehanabad

Amit Kumar @ Bhakoran @ Bhokaran, Son of Sanjay Yadav @ Sanjay Kumar, Resident Of Village - Kumaru Bigha, P.S. - Sikariya, Dist. - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Jehanabad (Sikariyas) P.S. Case No.370 of 2025, registered for the offences punishable under Sections 115(2), 126(2), 352, 308(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act, 1959.

3. As per the prosecution case, the informant while returning to his house was surrounded by the named accused persons including the petitioner and it has been alleged that the petitioner fired from his pistol. It is further alleged that the petitioner demanded an extortion amount from the informant and the informant at that relevant moment even gave Rs.4600/-



from his pocket while he was also threatened with dire consequences.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no such incident as alleged had occurred. It has further been submitted that the petitioner and the informant are co-villagers and due to personal dispute due to encroachment of a pavement, the petitioner has been falsely implicated. It has next been submitted that the allegations of firing are also not proved by any medical evidence, nor was any recovery as such was made from the conscious possession of the petitioner. It has also been submitted that other co-accused persons, namely, Subhash Kumar has been enlarged on regular bail by a learned Coordinate Bench of this Hon'ble Court vide order dated 05.12.2025 passed in Cr. Misc. No.73988 of 2025. It has lastly been submitted that the petitioner has five criminal antecedents against his name and he is in custody since 02.09.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail and has submitted that the petitioner carries long criminal antecedents and there is specific allegation of firing upon the petitioner.

6. Considering the aforesaid submissions made by the



parties, 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 court below where the case is pending/successor court in connection with Jehanabad (Sikariyas) P.S. Case No.370 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

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

(v) The learned 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.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Jehanabad 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. Accordingly, the prayer for bail is allowed.

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

(Sourendra Pandey, J)

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