

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89526 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- DARBHANGA SADAR District-
Darbhanga

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Suraj Yadav @ Suraj Kumar S/O Chandeshwar Yadav R/O Vill.- Basaila, P.S.-
Sadar, Dist.- Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Smiti Bharti, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 23-02-2026 Heard the learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sadar P.S. Case No.38 of 2025, F.I.R dated 15.02.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, on 15.02.2025 at about 3:49 PM, Amar Kumar gave his statement (Fardbayan) at DMCH Emergency Ward. He stated that while going to village Basaila to meet his relatives, he was stopped near Khatway Tola in village Kakarghat by Ramsogarath Yadav, Chhotu Yadav, and five unknown persons armed with an iron rod, khanti, and



pistol. They attempted to snatch his motorcycle key and mobile phone. When he resisted, they assaulted him, and Ramsogarath Yadav allegedly shot him in the leg. The accused then fled with his motorcycle and mobile phone. Local people informed his maternal uncle, and he was admitted to DMCH, Darbhanga for treatment.

4. Learned counsel for the petitioner submits that the allegations of overt act is against Chhotu Yadav and Ramsogarath Yadav, pursuant to which the injuries is said to have been caused to this informant. It has next been submitted that the name of the petitioner has come during the course of investigation and that petitioner has not been named in the F.I.R. and the F.I.R. is registered against two known and five unknown persons. It has further been submitted that the petitioner has clean antecedent and is ready to abide by the terms and conditions if the privilege of anticipatory bail is extended in his favour.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that that petitioner has not been named in the F.I.R. and the F.I.R. is registered against two known and five unknown



persons and no overt act is said to have been attributed against this petitioner and the petitioner has clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her 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 C.J.M., Darbhanga, in connection with Sadar P.S. Case No.38 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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