

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88344 of 2025

Arising Out of PS. Case No.-388 Year-2024 Thana- SHEKHPURA District- Sheikhpura

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Budhan Yadav @ Banaras Yadav S/O Bhuwneshwar Yadav @ Bhuneshwar
Yadav @ Bhunesar Yadav Resident of Vill.- Kare, P.S.- Sheikhpura, Dist.-
Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Pratik Mishra, Advocate
For the Opposite Party/s :	Mr. Ram Priya Sharan Singh, APP
For the Informant :	Mr. S. Rizwarul Haque, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-01-2026 Heard Mr. Pratik Mishra, learned counsel for the

petitioner, Mr. S. Rizwarul Haque, learned counsel for the

informant and Mr. Ram Priya Sharan Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
08.10.2025 in connection with Sheikhpura P.S. Case No. 388 of
2024, F.I.R. dated 17.10.2024 for the offences punishable under
Sections 329(3), 126(2), 115, 118(1), 117(2), 109, 352, 351(2),
3(5) of the B.N.S. and section 27 of Arms Act.

3. According to prosecution case, petitioner and other
co-accused persons armed with deadly weapons alleged to have
assaulted the informant's husband brutally. Petitioner is alleged
to have assaulted the informant on the lower back of her
husband causing fracture to the bone of lower back.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as in the F.I.R. Although the specific allegation is against one of the accused person that he has fired upon the informant's husband and he received the gun shot injury but the injury report of the injured person (informant's husband) does not support the allegation as in the F.I.R. and apart from the aforesaid, the specific allegation against the petitioner in the F.I.R. is that he has hit the lower back of the husband of the informant but no injury was found by the doctor on the back side of the husband of the informant. The police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 08.10.2025.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent, 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 Chief Judicial



Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 388 of 2024, 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 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)

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