

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90954 of 2025

Arising Out of PS. Case No.-295 Year-2025 Thana- BAUNSI District- Banka

Shrawan Kumar @ Sharwan kumar Son of Late Doman Chaudhary Resident
of Village -Pagwara, Police Station- Hansdiha, District -Dumka (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr.Ajay Mukherjee, learned counsel for the
petitioner and Mr.Shahabuddin Azeem @ S. Azeem, learned
A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
20.10.2025 in connection with Bounsi P.S. Case No. 295 of
2025, F.I.R. dated 19.10.2025 registered for the offence
punishable under Sections 191(2), 190, 126(2), 115(2), 109,
308(3), 324(4), 329(3), 352, 351(2) of BNS, 2023.

3. The prosecution story as per the FIR is that the
informant who is father of the St. Joseph School, Harimora,
Bounsi, on 19.10.2025 he was getting the school boundary
constructed, then at around 13.10 hours, Parmeshwar Yadav,
Shridhar Yadav, Pappu Yadav, Vinod Yadav, along with 40-30
parsons, all carrying sticks, batons, swords, spear and iron rods,



came to the construction site and started abusing and demanding ten lakh rupees as extortion. They also launched a deadly attack on the informant and the construction workers but somehow they managed to escape. The agitated mob caught one of the workers namely Vinod Rana and assaulted him brutally, causing head injury. They destroyed the under construction boundary wall. Shahwaz Hasan, who was overseeing the work, was also attacked with a sword. On getting information when the police personnel arrived, they ran away but the accused persons-Bipin Kumar, Suraj Kumar, Shrawan Kumar and others were caught by the police.

4. Learned counsel appearing for the petitioner submits that it appears from the FIR that although the petitioner is named in the FIR alongwith 40 to 50 unknown persons but there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 20.10.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries



two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts and there is no specific allegation of any assault or overt-act attributed against the petitioner in the FIR, 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 learned Chief Judicial Magistrate, Banka/Successor Court, Banka in connection with Bounsi P.S. Case No. 295 of 2025, 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 his/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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