

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.173 of 2026

Arising Out of PS. Case No.-59 Year-2025 Thana- SITAMARHI District- Nawada

Shashi Kumar @ Shashi Bhushan Kumar S/O Kuleshwar Prasad R/O Village-
Devra Beldari, P.S.- Sitamarhi, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra, Advocate.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-02-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Sitamarhi P.S. Case No. 59 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 132, 324(4), 262, 263(B), 351, 352 and 3(5) of the BNS.

3. As per the allegation made in the F.I.R., the police force in course of investigation having found that co-accused Satyendra Yadav was hiding in his house, they wanted to arrest him, which was allegedly resisted by the petitioner and other family members and in the said course they also abused and assaulted the police force.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he was



not present at the time of alleged occurrence. Falsity of the allegation is also apparent from the fact that seizure list was prepared, however the same was not handed over to the petitioner supporting the fact that the petitioner was not present while the police force had tried to arrest the co-accused Satyendra Yadav who is the co-villager of the petitioner. Learned counsel further submitted that the petitioner has clean antecedent and he has falsely been implicated in the case. On these grounds, learned seeks that the petitioner be released on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, I find that the petitioner is the co-villager of co-accused Satyendra Yadav and he has no concern with him, the petitioner is said to have restricted the police force in discharging their duty, but in absence of direct allegation against the petitioner, I find that the petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from



today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Nawada in connection with Sitamarhi P.S. Case No. 59 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para- 3 of the bail petition, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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