

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91908 of 2025

Arising Out of PS. Case No.-219 Year-2025 Thana- SIWAN CITY District- Siwan

Uttam Kumar Son of Begu @ Dinesh Yadav @ Dinesh Chaudhary Resident
Of Village - Tarwan, P.O. - Tarwan, P.S. - Siwan Muffasil, Dist. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Siwan Town P.S. Case No. 219 of 2025 registered for the
offences under Sections 191(2), 190, 126(2), 115(2), 352, 132 of
the B.N.S.

3. The prosecution case is to the effect that while
investigating an incident, the informant reached the government
school and saw one person namely, Vishal Yadav who had died
of a gunshot injury. It is alleged that thirty to forty unknown
persons started abusing and even attacked police personnel.

4. Learned counsel for the petitioner submits that the
FIR was lodged against thirty to forty unknown persons and the
petitioner is not named therein. It has further been submitted



that during the course of investigation, almost after six months of the incident, on the confessional statement made by one Raju Ali, the name of the petitioner surfaced in this case and that too with a very vague allegation that the petitioner had assaulted the police personnel with his hand. It has next been submitted that the petitioner was no way concerned with the deceased Vishal Yadav or with the apprehended person, Raju Ali and he has merely been implicated at the behest of the police because he carries three criminal cases and he was on bail at the relevant time in all the cases. It has lastly been submitted that the police in order to coerce the petitioner has falsely implicated him.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds 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 Siwan Town P.S. Case No. 219 of 2025 subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (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.

7. Accordingly, the prayer for anticipatory bail is allowed.

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

(Sourendra Pandey, J)

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