

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55337 of 2026

Arising Out of PS. Case No.-48 Year-2026 Thana- GURUA District- Gaya

1. Kamdeo Kumar @ Kamdeo Yadav Son of Karoo Yadav @ Karu Yadav Resident of Village - Akothara, P.S.- Gurua, District - Gaya Ji.
2. Shyamdeo Yadav @ Shyamdeo Kumar @ Samav Kumar Son of Karoo Yadav @ Karu Yadav Resident of Village - Akothara, P.S.- Gurua, District - Gaya Ji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-08-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109(1), 132, 121(1), 121(2), 125(a), 125(b), 303(2), 317(2) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 12.02.2026 at 7:30 AM, he received an information that accused are taking illegally mined sand, accordingly, the police force reached the place of occurrence at 08:00 AM and saw a tractor coming after unloading the sand on



side road, further driver was apprehended who disclosed his name as Anup, but could not produce any document relating to sand, further they were coming back to PS with the apprehended accused and the tractor, when they were intercepted by Radha Devi along with seven named accused persons including the petitioners along with 8-10 unknown accused who freed Anup and Hari Yadav assaulted ASI Manoj by brick causing injury on eye.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation against the petitioner is general and omnibus. It is also submitted that specific allegation of assaulting ASI Manoj by brick causing injury on eye is against Hari Yadav.

5. Learned A.P.P. for the State vehemently opposes the anticipatory bail application of the petitioners and submits that no doubt allegation against the petitioner is not specific, but then the informant specifically alleges that petitioner was also present at the place of occurrence along with other accused and all the accused persons by using force freed Anup who was arrested. It is also submitted that though specific allegation of



assaulting ASI Manoj is against Hari, but then presence of the accused persons at the place of occurrence emboldened Hari to commit the occurrence of assaulting a police personnel. It is next submitted that had Hari Yadav been alone whether he could have assaulted ASI Manoj who was leading the police force.

6. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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