

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2792 of 2025

Arising Out of PS. Case No.-88 Year-2024 Thana- DHANKUND District- Banka

Sunil Yadav S/o Late Sajjo Yadav R/o Village- Kathara P.S -Dhankund,
District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Informant : Mr. Praveen Kumar, Advocate
Mr. Ravi Prakash Dwivedi, Advocate
For the State : Mrs. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 13-05-2025 Heard Mr. Pawan Kumar, the learned counsel
appearing on behalf of the petitioner, Mr. Praveen Kumar, the
learned counsel for the Informant and Mrs. Meena Singh, the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Dhankund P.S. Case No. 88 of 2024, registered for the offences
punishable under Sections 191(2), 190, 126(2), 115(2), 109(1),
74, 303(2), 352, 351(2) of B.N.S. and subsequently added under
Section 103(1) of B.N.S. Petitioner has clean antecedent.

3. The prosecution case is to the effect that the
informant has alleged that the two accused persons including the
petitioner had threatened the informant and others that they



would be eliminated and on the subsequent date, i.e., 30.08.2024, all the FIR named accused persons had come to the house of the informant, armed with deadly weapons and it is alleged that the co-accused Ajay Yadav assaulted one Ashok Yadav (informant's husband) by means of iron rod and subsequently, the other co-accused, namely, Fantush Yadav also assaulted the informant's husband and he fell unconscious. The informant has further stated that when the informant and her bhaisur, Gopi Yadav intervened, the other accused persons, namely, Vadri Yadav, Gulsan Yadav, Fantush Yadav and Sunil Yadav (petitioner) by means of lathi, had assaulted her and had even snatched away her silver jewellery and other documents from the box.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The learned counsel for the petitioner submits that the allegation upon the petitioner is that he had assaulted the informant and her bhaisur, however, there is no injury report of the informant and her bhaisur. The learned counsel has further stated that there is no specific allegation of overt act against the petitioner to have caused any injury to the deceased Ashok Yadav. The learned counsel has further stated that the petitioner



has clean antecedent and he is in custody since 27.09.2024.

5. The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that the petitioner along with other named co-accused persons have assaulted the husband of the informant as well as others and also caused the death of the husband of the informant, as such they should not be granted the liberty of bail.

6. Considering the aforesaid submissions made by the parties and taking into account that there is no specific allegation of overt act against the petitioner and also considering the period of custody, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. 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 court of learned Additional Chief Judicial Magistrate-II, Banka, in connection with Dhankund P.S. Case No. 88 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.



(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) 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.

(Sourendra Pandey, J)

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