

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12467 of 2025

Arising Out of PS. Case No.-456 Year-2024 Thana- RAHUI District- Nalanda

1. Rambriksh Yadav S/o Late Sitaram Yadav R/o vill - Kayampur, P.S - Rahui, District - Nalanda
2. Bittu Yadav S/o Arjun Yadav R/o vill - Kayampur, P.S - Rahui, District - Nalanda
3. Vikas Yadav @ Vikesh Yadav @ Vikesh Kumar S/o Arjun Yadav R/o vill - Kayampur, P.S - Rahui, District - Nalanda
4. Sintu Yadav S/o Akhilesh Yadav R/o vill - Kayampur, P.S - Rahui, District - Nalanda
5. Suresh Yadav S/o Late Deoki Yadav R/o vill - Kayampur, P.S - Rahui, District - Nalanda
6. Nitish Yadav S/o Mahesh Yadav R/o vill - Kayampur, P.S - Rahui, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 04-07-2025 At the outset, learned counsel for the petitioners seeks permission of this Court to withdraw this bail petition as against the petitioner nos. 2 & 3, above named, stating that during pendency of the present bail petition, both of them have been arrested.

2. Permission is accorded.

3. Accordingly, the present petition stands



dismissed as withdrawn as against the petitioner nos. 2 & 3, above named.

4. Further, after some arguments, learned counsel for the petitioners seeks permission to withdraw this petition against the petitioner no.1, above named.

5. Permission is accorded.

6. Accordingly, the present bail petition stands dismissed as withdrawn as against the petitioner no.1, above named.

7. In view of the above, the present bail petition remains confined only to the petitioner nos. 4, 5 & 6, above named.

8. Heard learned counsel for the petitioners and Mr. Choubey Jawahar, learned A.P.P. for the State.

9. The petitioners apprehend their arrest in connection with Rahui P.S. Case No. 456 of 2024, instituted for the offences punishable under Sections 190, 191(2), 191(3), 126(2), 115(2), 109, 118(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

10. The prosecution case, in short, is that, the petitioners along with other co-accused persons armed with



deadly weapons assaulted and fired upon the informant and Ram Balak Yadav due to which they sustained injuries.

11. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case with false and frivolous allegations and due to enmity. The petitioners have not committed any offence as alleged in the F.I.R. There is no specific or direct allegation of any overt act against the petitioners rather the same is general and omnibus in nature. It is further submitted that the injuries sustained by the informant and Ram Balak Yadav are simple in nature. The petitioner no.4 has one criminal antecedent whereas petitioner no. 6 has two criminal antecedents. The petitioner no.5 has no criminal antecedent. Charge-sheet has been submitted in this case. Learned counsel for the petitioners further submits that the co-accused Shanker Yadav has been granted regular bail by this Court vide order dated 15.02.2025 passed in Cr. Misc. No. 6767 of 2025.

12. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners, stating that the offence alleged against the petitioners is serious in nature. The petitioners are named in the F.I.R. and, hence, they do not deserve bail.



13. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioners, let the petitioner nos. 4, 5 & 6, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each 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 Rahui P.S. Case No. 456 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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