

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7325 of 2025

Arising Out of PS. Case No.-568 Year-2024 Thana- AMARPUR District- Banka

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1. Sanjay Yadav S/o- Late Gajo yadav R/o village -Suraha , P.s.- Amarpur, District- Banka
 2. Dilkhush Kumar @ Dilkhush Yadav S/o- Sanjay Yadav R/o village -Suraha , P.s.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-02-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioners who apprehend their arrest in connection with Amarpur P.S. Case No. 568 of 2024 lodged on 22.08.2024, for the offences punishable under Sections 126(2), 115(2), 110, 352, 351(2) and 3(5) of the B.N.S. Act, 2023.

3. As per the prosecution, FIR has been lodged against 7 named accused persons including the present petitioners



against whom there is allegation that the son of the petitioner No.1 had made photograph viral of the informant niece on Instagram and Facebook. Upon oppose, the accused persons started abusing and scuffling took place between the parties.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners and others were made accused only due to the reason that they are relatives of Manish Yadav against whom allegation of making video viral is there.

5. Counsel further submits that for the same date and place of occurrence, there is case and counter-case lodged from both the parties. The petitioners have lodged case *i.e.*, Amarpur P.S. Case No.569 of 2024 and the Informant has lodged case *i.e.*, Amarpur P.S. Case No.568 of 2024 (present case).

6. Counsel submits that the criminal antecedent of the petitioners are clean. He further submits that both parties are not criminal, but due to unfortunate event, scuffling took place between the parties. He further submits that the petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

7. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the pleadings, it



transpires that both are resident of same village and antecedent of the petitioners is also clean.

8. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Banka, in connection with Amarpur P.S. Case No. 568 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

9. It is made clear that at the time of surrender before the trial court, the petitioners shall furnish an undertaking in the form of a bond, indicating therein that they will not create any situation in the future that may disturb the peace and tranquility of the informant.

(Dr. Anshuman, J.)

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