

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9356 of 2025

Arising Out of PS. Case No.-306 Year-2024 Thana- ATRI District- Gaya

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1. Dinesh Yadav, aged about 44 years, Male, S/o Musafir Yadav @ Monsafir Yadav
 2. Musafir Yadav @ Monsafir Yadav, aged about 72 years, Male, S/o Late Baudhu Yadav @ Late Baudhi Yadav
Both are R/o Village - Bhithra, P.S.-Atri, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Durgesh Nandan, Advocate
For the Opposite Party/s	:	Ms.Pushpa Sinha1, APP
For the informant	:	Mr. Sunil Kumar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 12-05-2025 At the outset, learned counsel appearing on behalf of petitioners submits that he seeks to withdraw the present petition with respect to petitioner no.1.

2. Accordingly, the present petition is dismissed as withdrawn with respect to petitioner no.1.

3. Heard Mr. Durgesh Nandan, learned counsel appearing on behalf of the petitioner; Ms. Pushpa Sinha-1, learned APP for the State and Mr. Sunil Kumar Yadav, learned counsel for the informant.

4. The petitioner no.2 seeks pre-arrest bail in connection with Atri P.S. Case No. 306/2024 registered for the offence(s) punishable under Sections 126(2), 115, 109, 74,



303(2), 352, 351(2), 3(5) of the BNS.

5. As per the allegation made in the FIR, all the accused persons including the petitioners with common intention to kill assaulted the informant and her family members.

6. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that general and omnibus allegation has been levelled against the petitioner. He further submitted that injuries sustained by the injured persons except the informant are simple in nature and allegation of assaulting the informant resulting into grievous injury, is against co-accused Awadhesh Yadav and Dinesh Yadav (petitioner no.1).

7. Mr. Sunil Kumar Yadav, learned counsel, has tendered his appearance on behalf of the informant and has vehemently opposed the prayer for grant of pre-arrest bail.

8. Learned APP for the State has also vehemently opposed the prayer for grant of pre-arrest bail.

9. Considering the nature of allegation made against the petitioner and also the fact that general and omnibus allegation has been levelled against the petitioner, I am of the



opinion that petitioner No.2 has, prima facie, made out a case to be released on pre-arrest bail.

10. **The petitioner No.2 , above named, is directed to be released on pre-arrest bail,** in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, Gaya in connection with Atri P.S. Case No. 306/2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

11. The bail application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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