

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12385 of 2025

Arising Out of PS. Case No.-195 Year-2024 Thana- KHARIK District- Bhagalpur

1. Vijay Yadav @ Vijay Kumar Yadav Son of Rajendra Yadav Resident of Village - Lattipur, P.S. - Bihpur, District -Bhagalpur

2. Siti @ Vinit Kumar Thakur Son of Subhash Chandra Thakur Resident of Village - Lattipur, P.S. - Bihpur, District -Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 202-04-2025

1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 308(2), 308(5), 303(2), 109 and 352 of the BNS read with Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and the informant alleges that named accused persons along with five unknown accused came and looted the shopkeepers as detailed in the FIR and also fired 20-25 rounds in the air.

4. Learned counsel for the petitioners submits that



petitioners are not named in the FIR and have been falsely implicated in the instant case. It is further submitted that names of the petitioners transpired in the confessional statement of apprehended accused in police custody which does not have any evidentiary value.

5. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad, opposes the prayer for anticipatory bail of the petitioners and submits that petitioners have antecedent of one case and allegation is of looting the shopkeepers as detailed in the FIR and also of firing. It is also submitted that investigation of the case is still going on, as such, if privilege of anticipatory bail is granted to the petitioners, they may abscond, on which the learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court



where the case is pending/successor court in connection with Kharik P.S. Case No. 195 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. It is further made clear that if charge sheet is submitted connecting the petitioners with the offence, in that event the present anticipatory bail order shall come to an end.

(Satyavrat Verma, J)

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