

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16924 of 2025

Arising Out of PS. Case No.-106 Year-2024 Thana- ATRI District- Gaya

1. Sarun Yadav, S/o- Munirka Yadav, village- Malhachak, P S- Atri, District- Gaya
2. Santan Kumar @ Santan Yadav, S/o- Sidheshwar Yadav, village- Malhachak, P S- Atri, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-05-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Atri P.S. Case No. 106 of 2024, registered for the offences punishable under Sections 341, 323, 504, 308 and 34 of the Indian Penal Code.

3. Allegedly in course of on going programme in a village some dispute has arisen amongst the children, resulting into scuffle at the hands of co-accused persons. It is specifically alleged that co-accused Shiv Kumar Yadav, Ravindra Yadav and Tarun Yadav alongwith others have assaulted the informant and



his family members, due to which they sustained injuries.

4. Learned Advocate appearing on behalf of the petitioners taking this Court through the FIR has contended that the petitioners are not named in the FIR. However, during the course of the investigation, the name of the petitioners surfaced on the statement of the family members of the injured. Further contention has been made that co-accused persons who are named in the FIR, namely Shiv Kumar Yadav, Ravindra Yadav and Tarun Yadav, against whom there is allegation of assault, they have been allowed the privilege of anticipatory bail by this Court in Criminal Miscellaneous No. 89295 of 2024. The petitioners are men having fair antecedent and the injuries which are alleged to have sustained, found to be simple in nature. There is a delay in lodging of the FIR also.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioners are not named in the FIR and the co-accused persons against whom there is omnibus allegation of assault, they have been allowed the privilege of anticipatory bail, let the petitioners above named be released on bail, in the event of their arrest or



surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Atri P.S. Case No. 106 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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