

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9491 of 2025**

Arising Out of PS. Case No.-182 Year-2024 Thana- BIHIA District- Bhojpur

Abhay Yadav @ Santosh Yadav @ Abhay Kumar Singh @ Santosh Kumar  
Yadav S/o- Shivnath Yadav Village- Samardah Ps- Bihiyan Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Malti Kumari, Advocate

For the Opposite Party/s : Ms.Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      14-02-2025                      Heard   Ms.Malti Kumari, learned counsel for the  
  
petitioner and Ms.Rita Verma, learned Additional Public  
  
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bihiyan P.S. Case No.182 of 2024, dated 22.06.2024 registered for the offences punishable under Sections 147,149,323,504,307,379 of IPC.

3. According to prosecution case, petitioner is said to have assaulted to the informant and his family members.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Although petitioner is named in the FIR and there is specific allegation against the petitioner that he assaulted to the nephew of the informant,



namely, Lav Kumar. Learned counsel for the petitioner submits that although Lav Kumar has received the injury but the injury report of Lav Kumar suggests that the injury is simple in nature and co-accused person, namely, Kashinath Yadav @ Kashinath Singh & Others have been granted privilege of anticipatory bail by this Court vide order dated 29.01.2025 passed in Cr. Misc. No.73259 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, injury inflicted upon the injured person is simple in nature and similarly situated co-accused persons have been granted privilege of anticipatory bail by this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhojpur, Ara in connection with Bihiyan P.S. Case No.182 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other



following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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