

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13985 of 2025

Arising Out of PS. Case No.-376 Year-2024 Thana- SUPAUL District- Supaul

1. Sanjay Kumar @ Bhagwan Yadav Son of Late Chaturi Yadav R/V -Kataiya, PS -Supaul, Dist -Supaul
2. Kunal Yadav @ Paplesh Kumar son of Sanjay Kumar R/V- Kataiya, PS -Supaul, Dist -Supaul
3. Pappu Yadav @ Pappu Kumar son of Sanjay Kumar R/V Kataiya, PS -Supaul, Dist -Supaul
4. Md. Mehadi son of Md. Sahadat R/V Kataiya, PS -Supaul, Dist -Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 02-07-2025 Learned counsel for the petitioner submits that during the pendency of the writ petition, petitioner no.2 Kunal Yadav has been arrested and as such withdraw the petition against him. Condition granted. Anticipatory bail of petitioner no.2 Kunal Yadav is deleted.

2. Heard the parties.

3. The petitioner is apprehending his arrest in connection with Supaul P.S. Case No.376 of 2024 for the offence under Sections 341, 323, 324, 307, 379, 384, 504,



506 and 34 of the Indian Penal Code and Section 27 of the Arms Act, lodged on 16.06.2024 by the informant, Amrendra Yadav.

4. As per the prosecution story, the informant alleged that due to dispute with regard to a particular piece of land, the accused persons came, armed variously and assaulted them causing injury to number of people, so far as petitioner no.1, 3 and 4 are concerned, the allegation is of regard as follows:-

Petitioner no.1 Sanjay Kumar assaulted Amrendra while petitioner no.3 Pappu Kumar assaulted Sukhsen, so far petitioner no.4 Md.Mehndi is concerned allegation is that he took away certain amount from the informant, the co-ordinate Bench calls for the injury report and case diary and though the other assaults found to be simple nature so far as these two assault on Amrendra and Sukh Sen are concerned, opinions were reserved.

5. Learned counsel for the petitioner submits that the opinion was reserved on 18.06.2024 and till the case diary was sent in the month of May, 2025, no subsequent report has come. These petitioners are ready to cooperate/diligently appear in the trial and the last



submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioners on its own would like to contribute Rs.5,000/- towards the medical assistance through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials. There is case and counter case also.

6. Learned APP opposes the prayer submitting that all the accused persons have assaulted the family members of the informant and the opinion has been reserved regarding the assault on petitioner no.1.

7. Considering the submissions put forward by the parties as also the fact that main role of assaulting is on Kunal Yadav, who have since been arrested, though allegation of petitioner no.1 and 3, opinions were reserved in the month of June, 2024, no further report is on record, an undertaking has been given that they shall diligently appear in the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.5,000/- each to the informant.

8. Let the petitioner be released on bail in the event



of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned CJM, Supaul, in connection with Supaul P.S. Case No.376 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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