

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12546 of 2025

Arising Out of PS. Case No.-231 Year-2024 Thana- PAKARIBARAW District- Nawada

Vikash Kumar @ Vikash Kumar Yadav Son of Kuldeep Yadav Resident of
Village - Paura, P.S. - Kadirganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-03-2025 Heard Mr. Man Mohan Kumar, learned Advocate for

the petitioner and Mr. Mritunjay Kumar Nirala, learned

Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Pakribarawan P.S. Case No. 231 of 2024, registered for the
offences punishable under Sections 147, 148, 149, 341, 323,
326, 307, 448, 504, 506, 379, 354(B) of the Indian Penal Code
and Sections 25(1-B)(a)/26/27/35 of the Arms Act.

3. Based upon the written report, the prosecution
alleges that on account of some dispute as has arisen between
the children of both the sides, all the FIR named accused
persons, including the petitioner as well as unknown persons,
armed with weapon entered into the house of the informant and



started abusing and assaulting. It is specifically alleged that the petitioner was present at the place of occurrence keeping *fasuli* in his hand and later on the petitioner along with others assaulted one Sunil Singh over his head by butt of the pistol leading to injury over his head.

4. Learned Advocate for the petitioner drawing the attention of this Court to the FIR has contended that the petitioner is said to be son-in-law of co-accused Rajendra Yadav, who was also present along with all the FIR named accused persons and only on account of this fact, petitioner has been implicated in this case. Save and except the allegation that the petitioner was present there with *fasuli* in his hand, there is no other allegation. So far as the injury, which is alleged to have been caused to Sunil Singh, that is found to be simple in nature. Co-accused person having more or less identical allegation has been accorded the privilege of anticipatory bail by this Court in Cr. Misc. No. 64260 of 2024 vide order dated 29.11.2024. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State opposes the bail application and submits that all the accused persons, including the petitioner, have brutally assaulted the



informant and his family members, who sustained injuries.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation *qua* simple injury, coupled with the fair antecedent and the case of the petitioner is based on parity, let the petitioner abovenamed be released on bail, in the event of his 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 Judicial Magistrate, 1st Class, Nawada in connection with Pakribarawan P.S. Case No. 231 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. 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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