

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12048 of 2025

Arising Out of PS. Case No.-698 Year-2024 Thana- AMARPUR District- Banka

1. Indradeo Yadav @ Indradev Yadav S/o- Sitaram Yadav Village -Tardih, Police Station- Amarpur, District-Banka
2. Karishma Kumari W/o- Manish Yadav Village -Tardih, Police Station- Amarpur, District-Banka
3. Indu Devi W/o- Indradeo Yadav @ Indradev Yadav Village -Tardih, Police Station- Amarpur, District-Banka
4. Manish Yadav S/o- Indradeo Yadav @ Indradev Yadav Village -Tardih, Police Station- Amarpur, District-Banka
5. Shambhu Yadav S/o- Sahdev Yadav Village -Tardih, Police Station- Amarpur, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-05-2025 Heard Mr. Ajay Mukherjee, learned counsel for the petitioners and Mr. Jitendra Kumar Singh, learned APP.

2. The petitioners are apprehending their arrest in connection with Amarpur P.S. Case No. 698 of 2024 for the offence under sections 126(2), 115(2), 74, 303(2), 352, 351(2), 109(1), 117(2), 132 and 3(5) of the Bharatiya Nyaya Sanhita lodged on 17.10.2024 by the informant, Savita Kumari.

3. As per the prosecution story, the informant alleged that the accused came, abused the informant, Savita Kumari and



upon protest, the petitioner no. 5, Shambhu Yadav gave '*dabiya*' blow on the head of the informant and they also took away gold ornaments/cash. This led to the FIR.

4. Learned counsel for the petitioners submit that so far as petitioner nos. 1 to 4 which include the female of the family, omnibus allegation of abuse is/are there. The allegation of assault is only on petitioner no. 5, Shambhu Yadav and none of them have criminal antecedent.

5. Learned APP opposes the prayer submitting that so far as the petitioner no. 5, Shambhu Yadav is concerned, the specific allegation of assault is on him.

6. Considering the aforesaid facts and the allegation, so far as petitioner no. 5, Shambhu Yadav is concerned, his anticipatory bail application stands rejected.

7. Regarding petitioner nos. 1 to 4 namely, Indradeo Yadav @ Indradev Yadav, Karishma Kumari, Indu Devi and Manish Yadav respectively, in view of the fact that no specific allegation is against them, two of them are ladies and none of them have criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

8. Let the petitioner nos. 1 to 4 namely, Indradeo



Yadav @ Indradev Yadav, Karishma Kumari, Indu Devi and Manish Yadav respectively 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) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/concerned Court in connection with Amarpur P.S. Case No. 698 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner nos. 1 to 4 namely, Indradeo Yadav @ Indradev Yadav, Karishma Kumari, Indu Devi and Manish Yadav respectively who shall provide official document to show his/her bona fide;

(ii) the petitioner nos. 1 to 4 namely, Indradeo Yadav @ Indradev Yadav, Karishma Kumari, Indu Devi and Manish Yadav respectively 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 their bail bond by the Trial Court itself;

(iii) the petitioner nos. 1 and 4 namely Indradeo Yadav @ Indradev Yadav and Manish Yadav respectively shall



appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioner nos. 1 to 4 namely, Indradeo Yadav @ Indradev Yadav, Karishma Kumari, Indu Devi and Manish Yadav respectively 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 nos. 1 to 4 namely, Indradeo Yadav @ Indradev Yadav, Karishma Kumari, Indu Devi and Manish Yadav respectively shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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