

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13517 of 2025

Arising Out of PS. Case No.-337 Year-2024 Thana- KONCH District- Gaya

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1. Birendra Yadav Son of Chalitar Yadav Resident of Village -Lakshman Bigha, Police Station -Konch, District- Gaya
 2. Suryadeo Yadav Son of Chalitar Yadav Resident of Village -Lakshman Bigha, Police Station -Konch, District- Gaya
 3. Raviranjana Kumar Son of Suryadeo Yadav Resident of Village -Lakshman Bigha, Police Station -Konch, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nilendu Kumar Choudhary, Adv.
For the State	:	Mr. Binod Kumar No. 3, APP
For the Informant	:	Mr. Jitendra Kumar Sagar, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-03-2025 Heard Nilendu Kumar Choudhary, learned counsel for the petitioners, Binod Kumar No. 3, learned APP for the State and Mr. Jitendra Kumar Sagar, learned counsel for the Informant.

2. The petitioners apprehend their arrest in connection with Konch P.S. Case No. 337 of 2024 dated 12.08.2024 registered for the offences punishable under sections 191(2), 190, 126(2), 115(2), 109 and 352 of the Bharatiya Nyaya Sanhita.

3. The main submissions advanced by learned counsel appearing for the petitioners are that the instant matter



relates to free fight in between both the parties and there is case and counter case between them and the FIR of the present matter has been registered against 12 persons belonging to the same family and in the entire FIR, any specific role of any of the petitioners in the commission of the alleged occurrence has not been revealed, in fact, the prosecution party was aggressor and they entered into the house of the petitioners and assaulted the family members of the petitioners and in this regard, FIR of the present matter as well as petitioners' FIR bearing Konch P.S. Case No. 336 of 2024 is relevant. It is further submitted that all the petitioners have fair and clean antecedent and the alleged occurrence was not preplanned and the same took place due to previous dispute running in between both the parties for passage of vehicle through a common lane.

4. On the other hand, learned counsel appearing for the informant has vehemently opposed the prayer of the petitioners and submits that three persons sustained injuries in the instant matter, out of them, one Vikash Kumar was treated at Anugrah Narayan Magadh Medical College and Hospital, Gaya on account of seriousness of his injuries.

5. Learned counsel appearing for the State has also opposed the prayer of the petitioners.



6. Considering the facts and circumstances of this case as well as submissions advanced by petitioners’ counsel coupled with petitioners’ fair and clean antecedent as mentioned in the petition and also the fact that in the FIR, any specific role of any of the petitioners in the commission of the alleged occurrence has not been revealed and several persons have been made accused in the present matter, in my opinion, it is a fit case for anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Konch P.S. Case No. 337 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Shailendra Singh, J)

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