

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13753 of 2025

Arising Out of PS. Case No.-103 Year-2024 Thana- BAGENGOLA District- Buxar

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1. Srikant Yadav Son of Misri Singh @ Misri Yadav R/o - Khochariyaon, P.S - Bagengola, District - Buxar
 2. Mahesh Yadav @ Kudrum Son of Misri Singh @ Misri Yadav R/o - Khochariyaon, P.S - Bagengola, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Bagengola P.S. Case No. 103 of 2024, dated 16.10.2024, lodged under Sections 191(1), 191(2), 190, 76, 115(2), 303(2), 329(3), 109, 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 11 named accused persons, including the present petitioners.



The allegations against them are that they tried to outrage the modesty of the informant, and upon opposition, they attacked the informant and her family members as a group, causing injuries. Additionally, it is alleged that the accused persons also snatched the gold ornaments of the informant and her family members.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that the present case was lodged with an ulterior motive. It is also submitted that this case was lodged on 16.10.2024 as Bagengola P.S. Case No. 103 of 2024. Prior to this, the petitioners' side had filed a case bearing Bagengola P.S. Case No. 102 of 2024 on the same day in the morning, alleging that, due to the disclosure of the petitioners, the family members of the informant were arrested in a liquor case. Counsel further states that the informant's side had assaulted the family members of the petitioners due to which their condition become critical. One of the petitioners' family members was referred to Ara, then to P.M.C.H., and subsequently to Kaushalya Samay Hospital for better treatment, where he was admitted to the ICU.

5. Moreover, Counsel submits that both the petitioners and the informant are residents of the same village, are well-



known to each other, and are agnates. Due to village politics, a scuffle took place, which later resulted in a case and counter-case between them. Counsel also submits that the criminal antecedents of the petitioners are clean.

6. Learned APP for the State opposes the prayer for bail of the petitioners.

7. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Buxar, in connection with Bagengola P.S. Case No. 103 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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