

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13982 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- Ramgarh Chowk District- Lakhisarai

1. Sakichand Yadav @ Sakhichandra Yadav Son of Sri Ramji Yadav Resident of Ramgarh, Shahnagar Ramgarh Chowk, P.S.- Ramgarh Chowk, Distt.- Lakhisarai-811311
2. Binod Yadav @ Vinod Yadav Son of Sri Ramji Yadav Resident of Ramgarh, Shahnagar Ramgarh Chowk, P.S. - Ramgarh Chowk, Distt.- Lakhisarai-811311

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Mishra, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-05-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 115, 126(2), 303(2), 109, 352, 351(2), 121, 121(A) and 122 of the BNS.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases and petitioner no. 2 has antecedent of 1 case and the informant alleges that on 19.09.2024 Ashok, Manoj, Sakichand Yadav (petitioner no. 1) and Binod Yadav (petitioner no. 2) came at his door and started



abusing, thereafter Ashok assaulted Chalitar by an iron object on his head causing injury and he became unconscious thereafter petitioner no. 1 assaulted Umesh by an iron rod, further petitioner no. 2 also assaulted Umesh by an iron rod on account of which he became unconscious, thereafter petitioner no. 2, Manoj and Krishna assaulted Shambhu, Santosh and Dheeraj causing injury, thereafter Rajniti along with Baunnu and Daroga entered the house of Umesh and took Rs.3,000/-.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that no doubt the petitioners are alleged to have assaulted Umesh by an iron rod on account of which he became unconscious. It is thus submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that the informant does not allege that on which part of the body the petitioners assaulted but then fairly submits that the injury suffered by the injured is grievous in nature but whether injury was caused on account of assault made by these petitioners is an aspect of investigation.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioners but then are not in a position



to rebut the submission of the learned counsel appearing on behalf of the petitioners that from perusal of the allegation as alleged in the FIR it is not clear that who assaulted Umesh on the head causing injury.

6. Learned counsel appearing on behalf of the informant further submits that if the privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond on which learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation to establish their innocence.

7. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, 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 bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Ramgarh Chowk P.S. Case No. 165 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. However, if the investigating officer of the case files an application before the learned trial court bringing to its



notice that the petitioners despite giving assurance to this Court are not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

9. Let a copy of this order be sent to the concerned police station through the learned trial court.

(Satyavrat Verma, J)

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