

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14059 of 2025**

Arising Out of PS. Case No.-517 Year-2024 Thana- BARHARIA District- Siwan

1. Dileep Kumar Yadav Son of Chandradeo Chaudhary Resident of Village - Sawalhata, P.S. - Barharia, District - Siwan
2. Chandradeo Chaudhary Son of Late Faujdaar Chaudhary Resident of Village - Sawalhata, P.S. - Barharia, District - Siwan
3. Mohan Yadav @ Mohan Chaudhary Son of Late Sukhdev Chaudhary Resident of Village - Sawalhata, P.S. - Barharia, District - Siwan
4. Satyendra Yadav @ Satyendra Kumar Yadav Son of Late Ramdeo Chaudhary Resident of Village - Sawalhata, P.S. - Barharia, District - Siwan
5. Anil Yadav @ Anil Chaudhary Son of Lal Babu Yadav Resident of Village - Sawalhata, P.S. - Barharia, District - Siwan
6. Rajesh Yadav @ Rajesh Kumar Son of Dharamdev Chaudhary Resident of Village - Sawalhata, P.S. - Barharia, District - Siwan

... .. petitioners

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the petitioners/s : Mr. Vijay Shanker Tiwari, Advocate  
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

3      18-06-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 191(2), 191(3), 190, 115(2), 118(1), 117(2), 118(2), 109, 125, 74, 303(2) of the Bharatiya Nyay Sanhita and Section 27 of the Arms Act.

3. The allegation in the first information report is that the accused persons being 19 in number who have been named in the first information report and 10-15 unknown persons had come to the house of the informant and indulged in assaulting by sticks and



batons with the purpose of causing death and on account of such act, they have caused serious injuries to the informant and other family members.

4. Learned counsel for the petitioners submits that the the allegations in the FIR are general and omnibus in nature and hence it is not possible to pin point as to who is the author of the injuries which have been suffered. Further there is a land dispute between the parties and one of the accused Subhash Yadav has also instituted a counter case bearing Barharia P.S. Case No. 518 of 2024. Further, it has been submitted that petitioner no.2 is an old man aged about 72 years and the petitioners have clean antecedent except petitioner nos.1 & 2, who have two criminal antecedents, in which they are on bail.

5. Learned APP for the State opposes the grant of anticipatory bail on the ground that the injury reports which are on record along with the case diary would go to show that a number of persons have received grievous injuries some of which are on vital part of the body.

6. Taking into consideration the rival contentions and also considering the fact that all the petitioners are involved in assaulting the informant and other family members and have caused grievous injuries some of which are on vital part of the body, I am not inclined to enlarge the petitioners (except petitioner no.2) on anticipatory bail. The prayer for anticipatory bail of the petitioners (except petitioner



no.2) is rejected.

7. However, if the petitioners (except petitioner no.2) surrender and seeks regular bail, it would be taken into consideration that similarly situated accused persons have been granted the privilege of regular bail by the learned Court below itself by an order dated 12.12.2024 passed in B.P. No. 898 of 2024.

8. This Court is however inclined to grant the privilege of anticipatory bail to petitioner no.2, above named, considering his age, and as such, in the event of his arrest or surrender before the learned Court below within a period of four weeks, he be released on anticipatory bail in connection with Barharia P.S. Case No.517 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court of District and Sessions Judge, Siwan, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

**(Soni Shrivastava, J)**

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