

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16289 of 2025

Arising Out of PS. Case No.-438 Year-2024 Thana- SHEKHPURA District- Sheikhpura

1. Vikash Kumar @ Abhishek Kumar Yadav S/O Rambadan Yadav R/O Village- Mahadev Nagar, P.S- Sheikhpura, District- Sheikhpura.
2. Ravi Kumar S/O Ganga Kumar Yadav @ Ganga Yadav R/O Village- Mahadev Nagar, P.S- Sheikhpura, District- Sheikhpura.
3. Chandan Yadav @ Chandan Kumar S/O Harikishun Yadav R/O Village- Mahadev Nagar, P.S- Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-07-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 127(2), 115(2), 110, 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that petitioner Nos. 1 and 2 have antecedent of one case and petitioner No. 3 is a person with clean antecedent and the informant alleges that petitioners came and started assaulting the mechanic where informant was getting his motorcycle repaired,



on objection by the informant, it is alleged that petitioners assaulted the informant with *lathi* and butt of the pistol causing injury.

4. The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that there is no specific allegation against any of the accused of assaulting the informant, rather the allegation of assault is general and omnibus in nature. It is also submitted no doubt it has been alleged that petitioners also assaulted the informant by butt of pistol but then the FIR has not been instituted under the Arms Act, which casts aspersion on the case of the prosecution. It is further submitted no doubt the injury suffered by the injured is grievous in nature but then there is no specific allegation against any of the petitioners of assaulting. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sheikhpura P.S. Case No. 438 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event, 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, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

8. 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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