

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21563 of 2025

Arising Out of PS. Case No.-465 Year-2024 Thana- BANKA District- Banka

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Bikas Yadav @ Vikash Yadav Son of Jamun Yadav Resident of Village -
Kakwara, P.S. - Banka, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2025 Heard Mr. Praveen Kumar, learned counsel for the

petitioner and Mr. Shakir Ahmad, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Banka P.S. Case No. 465 of 2024, F.I.R. dated
09.11.2024 for the offences punishable under Sections 126(2),
115(2), 109, 308(3) and 3(5) of BNS.

3. According to prosecution case, the petitioner
along with other persons broke the house of the informant and
assaulted one Aman Kumar with iron rod and causing head
injury and also demanded Rs. 2 lacs.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that there is a



case and counter case and although the petitioner is named in the F.I.R. but from perusal of the F.I.R. it appears that the specific allegation of assault is attributed against the co-accused person, namely, Aditya Kumar and the Aditya Kumar also assaulted one Aman Kuamr and the injury inflicted upon the injured person is grievous in nature and the allegation against the petitioner and other co-accused is that they have assaulted the informant and his family members, but there is no specific allegation of any assault or overt act against this petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner has clean antecedent and there is no allegation of any assault and overact against the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 465 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other



following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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