

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18853 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- SARMERA District- Nalanda

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1. Dharamraj Yadav @ Dharamraj Kumar Son of Krishna Yadav Resident of Village- Isua, P.S.- Sarmera, District- Nalanda
 2. Bilathu Yadav @ Biltu Yadav Son of Krishna Yadav Resident of Village- Isua, P.S.- Sarmera, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sarmera P.S. Case No. 241 of 2024 instituted for the offence under Sections 126(2), 115(2), 118 (1), 117(2), 109(1), 352, 351, 3(5) of Bhartiya Nyaya Sanhita and Section 27 of the Arms Act.

3. The case of the prosecution is that the petitioners along with others forcibly alighted the son of the informant from a bus with an intention to kidnap him. It is further alleged that the petitioner along with others assaulted him with iron rod due



to which he received injury on his head.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted by learned counsel for the petitioner that prior to this case, one Tinkul Kumar one of the accused in this case has filed a case against Vikash Kumar and others. This case is the counterblast of that case. It is also submitted that in this case, Ayush Kumar has received simple injury and from perusal of the FIR, it will also transpire that the nature of allegation regarding assault is general and omnibus. From perusal of the FIR, it is also clear that kidnapping could not be effectuated and the petitioners fled away after assaulting Ayush. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest



or surrender in connection with Sarmera P.S. Case No. 241 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Biharsharif subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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