

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26843 of 2025

Arising Out of PS. Case No.-301 Year-2024 Thana- BHORE District- Gopalganj

Ashok Kumar Yadav @ Ashok Yadav Son of Achhaybar Yadav Resident of
Village - Ghurbantariya, P.S. - Bhorey, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-05-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Bhorey P.S. Case No. 301/2024 for the offence registered under sections 126(2), 115(2), 117(2), 109, 3(5) of BNS lodged on 17.11.2024 by the informant, Vivekanand Yadav.

3. As per the prosecution story, the informant alleged that due to enmity, as a result of land dispute, this petitioner assaulted by iron rod on the informant causing injury. This led to the FIR.

4. Learned Counsel for the petitioner submits that though the allegation has come, the injury has been found to be simple in nature as would find from the learned Sessions Judge order. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of



the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 5,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that iron rod blow has been given to the informant.

6. Considering the submissions of the parties as also that the injury has been found to be simple in nature, he do not have criminal antecedent, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 5,000/- to the informant as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Gopalganj in connection with Bhorey P.S. Case No. 301/2024 subject to condition as laid down under Section 438(2) of the



Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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