

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23717 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- MESKAUR District- Nawada

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1. Sailesh Yadav @ Sailesh Kumar S/O Buddhu Yadav R/O Village- Mirzapur, P.S- Meskaur, District- Nalanda.
 2. Buddhu Yadav S/O Late Jagan Yadav R/O Village- Mirzapur, P.S- Meskaur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 23-07-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Meshkaur P.S. Case No. 04 of 2025 for the offence under sections 191(2), 190, 115(2), 127(2), 118(1), 76, 303(2), 329(3), 352 and 351(2) of the Bhartiya Nyaya Sanhita lodged on 12.01.2025 by the informant, Sobha Devi.

3. As per the prosecution story, the informant alleged that armed variously, the accused person assaulted the informant, as a result, she became unconscious, they also outraged her modesty and further, assaulted the other family members. This led to the FIR.

4. Learned counsel for the petitioners submit that



there is case and counter-case, both sides have suffered injuries, the injuries inflicted on the informant side has been found to be simple in nature and 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's side has alleged injuries, the petitioners on their own would like to contribute Rs. 5,000/- each (totalling Rs. 10,000/-) towards the medical assistance 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 opposes the prayer submitting that they have criminal antecedent.

6. Earlier the Coordinate Bench had called for the case diary which is on record, according to which, the injuries have been found to be simple in nature, there is case and counter-case, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions subject to payment of Rs. 5,000/- each (totalling Rs. 10,000/-) 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 petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Nawada in connection with Meshkaur P.S. Case No. 04 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

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

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

(Rajiv Roy, J)

Adnan/-

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