

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25318 of 2025

Arising Out of PS. Case No.-117 Year-2024 Thana- BHADAUR District- Patna

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1. Babita Devi W/O- Ramslok Yadav Resident of Village- Mobarakpur, P.S.- Bhadaur, District- Patna
 2. Mikky Devi W/O- Ram Balak Yadav Resident of Village- Mobarakpur, P.S.- Bhadaur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gopesh Raj, Advocate
For the Informant	:	Mr. Arun Kumar Arun, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2025 Heard Mr. Gopesh Raj, learned counsel for the petitioners and Mr. Arun Kumar Arun, learned counsel for the Informant and Mr. Surendra Prasad Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bhadaur P.S. Case No. 117 of 2024, F.I.R. dated 16.11.2024 registered for the offences punishable under Sections 191(2)(3), 190, 109, 115(2), 117(2), 126(2) BNS and Section 27 of the Arms Act.

3. Allegation against the petitioners is that they have brutally assaulted the informant with *lathi*, *danda* and also given a bullet shot injury on his leg due to which he sustained injuries.

4. Learned counsel for the petitioners submits that the



petitioners have clean antecedents and they have been falsely implicated in the present case. Although, the petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against these petitioners rather there is specific allegation of firing attributed against co-accused person namely, Ramslok Yadav and petitioners have been made accused merely on the ground that the petitioners are family members of Ramslok Yadav.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners are named in the F.I.R.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is no specific allegation of any assault or overt act against these petitioners, let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned I/c Civil Court, Barh, Patna in connection with Bhadaur P.S. Case No. 117 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioner has concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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