

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25202 of 2025

Arising Out of PS. Case No.-8 Year-2022 Thana- BIND District- Nalanda

1. Rudal Yadav Son of Mithu Yadav @ Mitthu Yadav @ Mihu Yadav Resident of Village- Madnachak (Madan Chak) P.S.- Bind, District- Nalanda
2. Bibhishan Yadav @ Bhavishan Yadav Son of Sri Mithu Yadav @ Mitthu Yadav @ Mihu Yadav Resident of Village- Madnachak (Madan Chak) P.S.- Bind, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No 13, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2025 Heard Mr. Manish Kumar No. 13, learned counsel for the petitioners and Mr. Ram Bilash Roy Raman, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bind P.S. Case No. 08 of 2022 corresponding to G.R. No. 279 of 2022, F.I.R. dated 18.01.2022 registered for the offences punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioners is that they along with other co-accused persons started abusing and assaulted by means of Gun to the informant's brother and thereafter all the accused persons fled away after firing and threatened to kill



them.

4. Learned counsel for the petitioners submits that the petitioners are innocent 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 general and omnibus allegation against all the accused persons including these petitioners. Although one person namely Binda Yadav has received injury but the injury report of Binda Yadav suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners and submits that they are named in the F.I.R. and they have participated in the present crime in question and apart from that the petitioners carry one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioners are on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that there is no specific allegation attributed against these petitioners and the injury inflicted upon the injured person is simple in nature, 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 Judicial Magistrate 1st Class, Nalanda at Biharsharif in connection with Bind P.S. Case No. 08 of 2022 corresponding to G.R. No. 279 of 2022, 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 petitioners have 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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