

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21904 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- KAKO District- Jehanabad

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1. Awadhesh Yadav @ Awadheshi Yadav Son of Late Jagdish Yadav Resident of Village - Bara, P.S. - Bhelawar, District - Jehanabad
 2. Madhesh Yadav Son of Late Jagdish Yadav Resident of Village - Bara, P.S. - Bhelawar, District - Jehanabad
 3. Kamlesh Yadav Son of Late Jagdish Yadav Resident of Village - Bara, P.S. - Bhelawar, District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Sanju Singh

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-04-2025 1. Learned Counsel for the petitioners informs that the petitioner no. 2, Madhesh Yadav, has been arrested by the police during the pendency of this application and this application, so far as petitioner no. 2 is concerned, has become infructuous.
2. Accordingly, this application, so far as petitioner no. 2, is concerned, is dismissed as having become infructuous.
3. This application will now survive only for petitioner nos. 1 and 3.
4. Heard learned Counsel for the petitioner nos. 1 and 3 and learned Additional Public Prosecutor for the State.



5. This application, for grant of anticipatory bail, arises out of Kako Police Station Case No. 09 of 2025, dated 09.01.2025, disclosing offences punishable under Sections 126(2)/115(2)/109(1)/352/351(3)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
6. The prosecution case, as per the First Information Report, is that on 08.01.2025 in the night, while the informant was returning back to his house on his tractor, he was stopped by co-accused Nawlesh Kumar @ Jira, who abused and assaulted the informant with butt of the pistol, causing head injury. It has further been alleged that the petitioner no. 1 and 3 abused and threatened the family members of the informant.
7. Learned Counsel for the petitioner nos. 1 and 3 submits that there is specific allegation of assault against co-accused Nawlesh Kumar @ Jira. The general and omnibus allegation has been made against the petitioners that they were abusing and threatening the family members of the informant. Both the parties are co-villagers. The injury caused to the informant is simple in nature, as would be evident from the injury report (Annexure P/2).



8. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, specific allegation of assault is against co-accused Nawlesh Kumar @ Jira, the informant has sustained simple injury and there is no allegation of assault against the petitioners, I am inclined to grant the petitioner nos. 1 and 3 privilege of anticipatory bail.
9. This application is, accordingly, allowed.
10. Let the petitioner nos. 1 and 3, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Jehanabad, in connection with Kako Police Station Case No. 09 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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