

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23908 of 2025

Arising Out of PS. Case No.-101 Year-2024 Thana- MORO District- Darbhanga

Raj Kumar Yadav Son of Mahesh Yadav Village -Araila PS -Maro Distt
-Darbhanga

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Jha
Mr. Niraj Lochan Jha
For the Opposite Party/s : Mr.Parmanand Kumar
For the O.P. No. 2 : Mr. Dilip Kumar Roy

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with a case registered under Sections 126(2)/115(2)/118(1)/76/
137(2)/3(5) of the BNS registered of the Indian Penal Code
lodged on by the informant.

3. As per the prosecution case, the allegation is that in
the evening, while the informant was returning home along with
the Aunt, she was certainly intercepted by a white colored
vehicle and after injecting her and making her unconscious, she
was taken away by Hero Kumar, Ravindra Yadav, Mahesh
Yadav besides Raj Kumar Yadav (petitioner). Subsequently,
Ravindra Yadav injected her and later thrown her outside road,



taken to Abhyas Hospital, Muzaffarpur and after regaining consciousness, called her father and then the F.I.R.

4. In this case, a Co-ordinate Bench of this Court has called for the case diary which is on record and the police investigation has taken note of the fact that actually, the boy Hero Kumar and this lady (informant) were moving on a motorcycle which met with an accident. Hero Kumar was seriously injured and shifted to Jan Seva Hospital, Muzaffarpur while the informant was shifted to Abhyas Hospital and subsequently, the exaggerated F.I.R. has been lodged.

5. Learned counsel for the petitioner has taken this Court to paragraph No. 12 of the case diary where the Director of the Abhyas Hospital Raja Kumar's statement has been recorded according to which, when she was taken in the hospital and inquired, it was informed that she met with a bike accident and her family members are coming.

6. Submission is that, in any case, he is not Hero Kumar, rather Ravindra Kumar Yadav and only to implicate all of them, have been made accused.

7. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail conceding that the investigation has taken to different route.



8. Considering the submissions of the parties and also the materials that has come in the case diary, in that background, this Court is inclined to enlarge the petitioner on bail.

9. 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 in connection with amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Darbhanga, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and also with the following conditions:-

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

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