

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23770 of 2025

Arising Out of PS. Case No.-105 Year-2024 Thana- NADI District- Supaul

Vijay Kumar Yadav S/o Abdhalal Yadav Resident of village - Tetriyahi, Ward
No. 02, Police Station - Supaul Nadi Thana, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun, Advocate
For the Opposite Party/s	:	Mrs. Madhuri Lata, A.P.P.
For the Informant	:	Mr. Kuldeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State .

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 191(2), 191(3), 190,
126(2), 115(2), 118(1), 109, 303(2), 352, 351(3) and 3(5) of
BNS.

3. The prosecution story in brief is that informant
Sikandar Yadav alleged that on 25.11.2024 at about 08:30 AM
when he was going to purchase seeds and fertilizer, all the
accused persons named in the FIR including the petitioner and
4-5 unknown persons armed with sticks, rods, axes and country-
made gun surrounded the informant, abused and assaulted him.
There is specific allegation against the petitioner of assaulting



the informant with a country-made gun on the head due to which it is alleged that the informant fell unconscious on the ground.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case. It is next submitted that there is only one criminal antecedent against the petitioner. He further submits that although the allegation against him is of using the country-made gun on the head of the informant but the Arms Act has not been attracted in the present case which is strange. He is, therefore, of the view that he has been framed in the case. He supports his contention by saying that had he used the country-made gun for hitting the informant on head then the informant would have received grievous injury but the Injury Report shows that the injury is only simple and is caused by hard and blunt substance.

5. Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner.

6. Considering the fact that injury is simple in nature and that he has only one criminal antecedent, the petitioner in the event of his arrest or surrender within four weeks from today, let the petitioner, as named above, be enlarged on bail on



furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.-I, Supaul in connection with Supaul Nadi Thana P.S. Case No. 105 of 2024, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 .

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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