

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26643 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Kawaiya District- Lakhisarai

1. Shrawan Kumar @ Shrawan Yadav, aged about 43 years (Male), son of Ragho Prasad Yadav,
2. Nitish Kumar @ Kundan Kumar, aged about 21 years (Male), son of Dashrath Yadav,
3. Sunil Kumar @ Sunil Yadav, aged about 38 years (Male), son of Dasho Yadav,
4. Hareram Kumar, about about 24 years (Male), son of D.P. Yadav @ Dev Nandan Yadav,
5. Ranjan Kumar, aged about 22 years (Male), son of Dashrath Yadav,
6. Kunta Yadav @ Alok Kumar, aged about 31 years (Male), son of Yugal Yadav,
7. Sunil Kumar @ Niraj Kumar, aged about 22 years (Male),
8. Dhiraj Kumar, aged about 23 years (Male), both son of Gulo Yadav,
All resident of Jay Nagar Bari Kabaiya, Ward no. 32, P.S.- Kabaiya, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. At the very outset, learned counsel for the petitioners submits that this application as against petitioner no.1, Shrawan Kumar @ Shrawan Yadav, has become infructuous on account of his arrest by the police and seeks permission to withdraw this application for anticipatory bail in



so far as it relates to petitioner no.1.

3. In such view of the matter, this application is dismissed as withdrawn so far as it relates to petitioner no.1, Shrawan Kumar @ Shrawan Yadav.

4. The petitioner nos.2 to 8 apprehend arrest in connection with Kabaiya PS Case No.35 of 2025 dated 07.02.2025, instituted under Sections 191(2), 190, 303(2), 352, 351, 109(2) of the *Bharatiya Nyaya Sanhita*, 2023.

5. The allegation against the petitioners is that they assaulted the husband of the informant by means of *lathi* on account of petty dispute for playing vulgar song in the DJ.

6. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is case and counter case between the parties. Counter case has been lodged by Mohan Yadav vide Kabaiya PS Case No.32 of 2025 dated 07.02.2025. It is also submitted that the counter case has been lodged prior to institution of this case. Further submission is that there is no specific allegation against the petitioner nos. 2 to 8, rather, allegation is general and omnibus in nature against all the accused. The occurrence took place due to some dispute between the parties on account of immersion of idol of Goddess *Sarswati*. Lastly, it is submitted



that petitioner nos. 2 to 8 have no criminal antecedents.

7. Learned APP has opposed the prayer for bail.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners **except petitioner no.1, Shrawan Kumar @ Shrawan Yadav**, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai, in Kabaiya PS Case No.35 of 2025, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

9. The application stands disposed of.

(Khatim Reza, J)

J. Alam/-

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