

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30883 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- Kanaria District- Saharsa

1. Bal Krishna Yadav @ Balkrishan Yadav @ Bal Krishna Kumar son of Ashok Yadav Village- Ghoghsan, Ps- Kanaria, Dist- Saharsa
2. Jay Krishan Yadav @ Jay Krishna Kumar son of Ashok yadav Village- Ghoghsan, Ps- Kanaria, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-05-2025 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Kanaria P.S. Case No. 21 of 2024 for the offence registered under sections 121, 121(A), 122, 126(2), 115(2), 109, 303(2), 352, 351(3), 3(5) of B.N.S.S. 2023 lodged on 05.12.2024 by the informant, Sindhu Kumar.

3. As per the prosecution story, the allegation is that after the victory of PACS election, in the procession that moved, people were armed variously and the allegation is that Madan Yadav assaulted with *farsa* to the informant while Ashok Yadav gave blow to Jibachh Yadav again by *farsa*. So far



as these two petitioners are concerned, Jay Krishna Yadav opened fire, threatened while Bal Krishna Yadav took Rs. 20,000/- as also the mobile. The injured were shifted to Swaraj Hospital, Saharsa, which led to the FIR.

4. Learned Counsel for the petitioners submit that only due to PACS enmity, names have been included, both do not have criminal antecedent and further they would like to contribute Rs. 5,000/- each (total Rs. 10,000/-) to the Chief Minister's Relief Fund.

5. Learned APP for the State, Mr. Jitendra Kumar Singh, on the other hand, opposes the prayer for anticipatory bail submitting that while main allegation is against Madan Yadav and Ashok Yadav, these two petitioners also actively participated.

6. Considering the submissions of the parties as also that the allegation is mainly against Madan Yadav and Ashok Yadav, though allegation is there against these two petitioners also, they have undertaken to diligently appear in trial, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 5,000/- each (total Rs. 10,000/-) to the Chief Minister's Relief Fund through Demand Draft and the receipt be submitted to the learned Trial Court.



7. Let the petitioners 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 amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saharsa in connection with Kanaria P.S. Case No. 21 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners 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 the bail bonds;



(v) the petitioners 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)

Vijay Singh/-

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