

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26465 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- GRIYAK District- Nalanda

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1. Bhairav Yadav S/O Devan Yadav R/O Village- Basobag, P.S- Giriyak (Katrisarai), Distt.- Nalanda.
 2. Mahhib Yadav @ Mahib Yadav S/O Deocharan Yadav R/O Village- Basobag, P.S- Giriyak (Katrisarai), Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Giriyak(Katrisarai) P.S. Case No. 79 of 2025 registered for the offences punishable under Sections 190, 191(2), 191(3), 109(2) of the BNS 2023 and Section 27 of the Arms Act.

3. As per prosecution case, informant was sitting in rice mill and the former PACS president came near her rice mill along with his associates. It is alleged that petitioner and others along with some unknown persons fired several round bullets near Rice mill with intention to kill informant and her son.



4. Learned counsel for the petitioners submits that from the place of occurrence no incriminating article and no firing material was recovered. In this way, allegation against the petitioners are outrightly false and fabricated. Learned counsel for the petitioners submit that petitioners have falsely been implicated in the case on account of local political rivalry with regard to the panchayat election. He further submits that there is no specific overt-act attributed against the petitioners. Nobody has received any injury in the said occurrence. In the light of aforesaid facts and circumstances, no offence is made out against the petitioners. Learned counsel further submits that petitioners are innocent and have committed no offence as alleged in the FIR. Petitioner nos. 1 and 2 bear criminal antecedent of one case in which they are already on bail.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of



Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Giriyak (Katrisarai) P.S. Case No.79 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Alok Kumar Pandey, J)

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