

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28863 of 2025

Arising Out of PS. Case No.-507 Year-2024 Thana- MURLIGANJ District- Madhepura

1. Mukesh Kumar Yadav @ Mukesh Yadav Son of Bindeshwari Prasad Yadav @ Bindeshwari Yadav
2. Subhash Kumar Yadav @ Subhash Yadav son of Late Deep Narayan Yadav Both R/o Village- Tamot Parsa Devenrahi, Ward No.09, and 03 PS -Murliganj District -Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-05-2025 Heard Mr.Surya Narayan Yadav, learned counsel for the petitioners and Mr.Binod Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Murliganj P.S.Case No.507 of 2024, FIR dated 25.11.2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109,303(2) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the informant has stated that on 24.11.2024 at about 02.00 O' clock the FIR named accused persons including the petitioners variously armed came and started beating the son of the informant. The



informant further alleged that when Tara Devi came to save Rajkishor Yadav (petitioner No.1) and Sonelal Mahto (petitioner No.2) ordered and Santosh Kumar fired upon Rajesh Kumar causing injury at the below of the knee of the son of the informant. The informant further alleged that Tara Devi brutally assaulted on solder and hand causing injury by petitioner, namely, Mukesh Kumar Yadav @ Mukesh Yadav. Sunil Yadav and Manoj Yadav took away a box in which 50,000/- kept.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. There is case and counter case. Specific allegation against the petitioners is that they assaulted to one Tara Devi by butt of the rifle but the injury report of Tara Devi suggest that the injury is simple in nature caused by hard and blunt substance.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is case and counter case and injury inflicted upon Tara Devi is simple in nature caused by hard and blunt substance, let the petitioners, above named, in the event of



their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Madhepura in connection with Murliganj P.S.Case No.507 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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