

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28476 of 2025

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

Sunil Yadav S/o- Ramjee Yadav R/o Village- Tamot Parsa Devenrahi ward No
11 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 petitioner and Mr.Binod Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his 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. Sunil Yadav and Manoj Yadav took away a box in which 50,000/- kept.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. There is case and counter case. Although petitioner is named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner.

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

6. Considering the aforesaid facts, petitioner has clean antecedent, there is case and counter case and there is no specific allegation of any assault or overt-act attributed



against the petitioner, let the petitioner, above named, in the event of his 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) 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) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed



his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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