

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29511 of 2025

Arising Out of PS. Case No.-240 Year-2023 Thana- BASOPATTI District- Madhubani

1. Ram Narayan Yadav S/O Late Maklu Yadav R/O Village- Katiya, Betauna, P.S- Basopatti, Distt.- Madhubani.
2. Chandrashekhar Yadav S/O Ram Narayan Yadav R/O Village- Katiya, Betauna, P.S- Basopatti, Distt.- Madhubani.
3. Rajesh Yadav @ Rajesh Kumar S/O Ram Narayan Yadav R/O Village- Katiya, Betauna, P.S- Basopatti, Distt.- Madhubani.
4. Mahesh Kumar Yadav @ Mahesh Yadav S/O Ram Narayan Yadav R/O Village- Katiya, Betauna, P.S- Basopatti, Distt.- Madhubani.
5. Manisha Kumari D/O Ram Narayan Yadav R/O Village- Katiya, Betauna, P.S- Basopatti, Distt.- Madhubani.
6. Tara Devi W/O Ram Narayan Yadav R/O Village- Katiya, Betauna, P.S- Basopatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate
		Mr. Ravi Prakash, Advocate
		Mr. Rajesh Kumar, Advocate
For the Opposite Party/s :		Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-07-2025

Heard Mr. Gagandeo Yadav, learned counsel for the petitioners and Mr. Nagendra Prasad, learned A.P.P. for the State.

2. After some arguments, learned counsel for the petitioners seeks permission to withdraw the application with respect to petitioner no. 1 with liberty to the petitioner no. 1 to surrender before the learned Court below within a period of two weeks from today and seeks regular bail.

3. Permission is accorded.



4. The application is dismissed as withdrawn with respect to petitioner no. 1, namely, Ram Narayan Yadav, as not pressed with the liberty that the petitioner surrenders and seeks regular bail before the learned Court below, the same shall be considered on the same day on its own merit in accordance with law and without being prejudiced by any observation in the present order.

5. The petitioners (except petitioner no. 1) are apprehending their arrest in connection with Basopatti P.S. Case No. 240 of 2023, F.I.R. dated 27.10.2023 for the offences punishable under Sections 323, 341, 379, 354(B), 308, 427, 504, 506/34 of the Indian Penal Code.

6. According to prosecution case, all the accused persons including these petitioners who are in-laws of the informant have assaulted the informant and his mother over a petty dispute.

7. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. From perusal of the F.I.R it appears that there is specific allegation against the co-accused, Ram Narayan Yadav and there



is no specific allegation against these petitioners rather there is general and omnibus allegation against them. There is case and counter case between the parties. He further submits that the petitioner nos. 2, 3 and 4 are brother-in-law, petitioner no. 5 is wife and petitioner no. 6 is mother-in-law of the informant. He further submits that the similarly situated co-accused persons, namely, Sanjit Yadav and Anr. have been granted anticipatory bail by this Court vide order dated 09.05.2025 passed in Cr. Misc. No. 28030 of 2025.

8. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

9. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and the similarly situated co-accused persons have been granted bail by this Court, let the petitioners (except petitioner no. 1), above named, in the event of 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 the learned Chief Judicial Magistrate, Madhubani in connection with Basopatti P.S. Case No. 240 of 2023, subject to the conditions as laid down under Section 438(2) of the Code



of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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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