

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34436 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- UPHARA District- Aurangabad

Molayam Yadav @ Santosh Yadav son of shri Mahesh Yadav @ Ramsharan
Yadav Village -Budhai Kala, P.S-. Uphara, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Khushboo Kumari Wife of Shri Nitesh Kumar Village -Budhai Kala, P.S-.
Uphara, District- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Singh, Advocate
For the State	:	Mr. Rajendra Nath Jha, A.P.P.
For the informant	:	Mr. Ashok Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner is apprehending his arrest in connection with Uphara P.S. Case No. 15 of 2025, G.R. No. 172 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 74, 75(2), 76, 77 of B.N.S., 2023.

3. As per prosecution case, petitioner is said to have caught the informant's hand from behind. It is alleged that when the informant started screaming, petitioner closed informant's mouth and twisted her hand due to which informant's suffered pain in her hand. It is alleged that when



the two persons were crossing the road, then, informant shouted loudly due to which petitioner dashed the informant and ran away.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that on 01.02.2025 a dispute regarding grazing of wheat crops has been taken place between the petitioner and the informant. He further submits that with respect to the aforesaid occurrence, petitioner warned the informant that if she were found doing such thing again, FIR would be lodged against the informant. On the said account, informant lodged false case against the petitioner. He further submits that from the perusal of FIR, it appears that the occurrence took place on 02.02.2025 at 20:00 hrs whereas the FIR was lodged on 03.02.2025 at 15:30 hrs and no plausible explanation has been given by the informant regarding the said delay which questions the authenticity of the prosecution story. Petitioner bears criminal antecedent of one case in which he is on bail. It has been orally submitted that petitioner will



not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that there is direct allegation against the petitioner who is said to have participated in the alleged occurrence and he cannot escape from the liability of said occurrence. Hence, he does not deserve bail.

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 petitioner 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) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Daudnagar, Aurangabad in connection with Uphara P.S. Case No. 15 of 2025, subject to the conditions as laid down under Section 482 (2) of BNSS.



7. The application stands allowed.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Alok Kumar Pandey, J)

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