

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38354 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- DHANAHA District- West Champaran

SUNIL YADAV S/o Ramchandra Yadav Resident of Village- Nuniya Patti
(Marichahawa), Police Station- Dhanaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shahbaj Alam, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-06-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Dhanaha P.S. Case No. 15 of 2025 for the offence under Sections 126(2), 115(2), 118(1), 109(1), 303(2), 352, 351(2) and 3/5 of the B.N.S., 2023.

3. As per the prosecution story, the informant alleged that while she was cleaning bricks in her land, it was objected by the accused persons who were armed variously. The allegation against this petitioner is that he assaulted the Anubhav Yadav by lathi.

4. Learned counsel for the petitioner submits that allegation of assault by Arjun Yadav and Ramprit Yadav is/are on Munna Yadav and Anju Devi/Rambha Devi respectively. He has taken this Court to the injury reports attached with the



petition to show that all three has sustained simple injuries. The submission is that there is case and counter case, both sides have suffered, to show their bonafide, without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioners on its own would like to contribute towards the medical assistance of Rs. 5,000/- each to the three injured (totalling Rs. 15,000/-) through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials, though he concede that accused Ramprit Yadav has criminal antecedent.

5. Learned counsel has further provided injury report of Anubhaw Yadav to show that it has been found to be the simple in nature. He undertakes that if the said statement is incorrect, if granted relief, the same may become infructuous. He also submits that similar placed other accused have been extended relief in Cr. Miscellaneous No. 27250 of 2025 (Arjun Yadav and Another Vs. State of Bihar) vide order dated 15.05.2025.

6. Learned APP opposes the prayer of bail and submits that the allegation of assaulting is also against this



petitioner.

7. Taking into account the aforesaid facts as also that petitioner has no criminal antecedent, the injury inflicted on Anubhaw Yadav is found to be simple in nature, others have been extended relief, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 5,000/- each to three injured (15,000) as undertaken by learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

8. It is however made clear that if contrary to the submissions, the injury inflicted to Anubhav Yadav is found to be incorrect, the order shall become infructuous.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bagaha, West Champaran, in connection with Dhanaha P.S. Case No. 15 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member



/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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