

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36216 of 2025

Arising Out of PS. Case No.-276 Year-2023 Thana- SALAKHUA District- Saharsa

1. Kaurav Yadav S/o- Prem Yadav Village- Banma PO- Itahari PS- Salkhua District-Saharsa
2. Pandav Kumar @ Pandav Yadav S/o- Prem Yadav Village- Banma PO- Itahari PS- Salkhua District-Saharsa
3. Pawan Yadav S/o- Prem Yadav Village- Banma PO- Itahari PS- Salkhua District-Saharsa
4. Prem Yadav S/o- Late Ram Kishun Yadav Village- Banma PO- Itahari PS- Salkhua District-Saharsa
5. English Yadav @ English Kumar S/o- Umesh Yadav Village- Koparia PS- Salkhua District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashwani Kumar Tiwary
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Salkhua P.S. Case No. 276 of 2023 for the offence under Sections 341, 307, 323, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution story, The informant has alleged that on 11.08.2023, all the accused named in the F.I.R. assaulted him and forcibly took away cash amounting to Rs.



5,300/-, a silver chain valued at Rs. 12,000/-, and a mobile phone from his possession.

4. Learned counsel for the petitioners submits that the petitioners are quite innocent and they have falsely been implicated in the instant case due to enmity and dirty village politics. There is no any specific overt act against any of the petitioners and the allegation of assault is quite vague and omnibus in nature and snatching money, chain and mobile appears to have been added to make the case serious and non bailable. It is further submitted that the informant is alleged to have been examined by the doctor who found injuries on the person of the informant. In view of the injury report no case under Section 307 of Indian Penal Code is made out against the petitioners and Section 379 of Indian Penal Code has been knowingly added to make out the case graver and non bailable and all other sections alleged in the F.I.R. are bailable except above two Sections of the Indian Penal Code.

5. Learned APP opposes the prayer for bail.

6. From perusal of F.I.R., it appears that there is general and omnibus allegation against the petitioners and the injuries inflicted to the informant has been found simple in nature as per the injury report which is Annexure-P/2 of this bail



application . Keeping in view the aforesaid facts, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Saharsa, in connection with Salkhua P.S. Case No. 276 of 2023 subject to the conditions as laid down under Section 482 of B.N.S.S.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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