

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39570 of 2025

Arising Out of PS. Case No.-83 Year-2024 Thana- NAYAGAON District- Begusarai

Amit Kumar @ Amit Yadav S/O Ranjit Yadav @ Ranjeet Yadav Village-
Dariyapur, PS- Nayagaon, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3. 08-10-2025 Heard Mr. Sandip Kumar Gautam, learned counsel
for the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Nayagaon P.S. Case No. 83 of 2024 for the offence under Sections 191(2), 191(3), 190, 126(2), 115(2), 352, 351(2), 109, 117(2), 303(2) of the BNS lodged on 15.10.2024 by the informant.

3. As per prosecution case, the informant alleged that all the FIR named accused persons including the petitioner have assaulted the informant and one Krishna Kumar with *Farsa*, iron rods and *Lathi-Danda* causing serious injuries to them. It has further been alleged that all the accused persons treating the informant dead threw him in the water. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case due to old ongoing land dispute and he has not committed any offence as alleged in the FIR. Learned counsel for the petitioner submits that allegations against the petitioner, as per the FIR, are general and omnibus in nature and there is no specific allegation of any overt-act against this petitioner. The instant incident has taken place owing to certain pending case for which, it has been alleged that the petitioner along with others were creating pressure for making settlement with respect to the civil case which is going on between the parties. Learned counsel next submits that similarly situated co-accused persons, namely, Nandan Yadav and Pankaj Yadav have been granted anticipatory bail *vide* Cr. Misc. No. 38784/2025 on 08.10.2025. Learned counsel fairly submits that the petitioner has got two criminal cases pending against him wherein he is on bail.

5. On the other hand, learned APP vehemently opposes the prayer for anticipatory bail of the petitioner submitting that the the petitioner has got two criminal antecedents.

6. Considering the aforesaid submissions of the parties and the fact that the allegations against this petitioner is general and omnibus in nature, there is a land dispute between the parties, there is no allegation of overt-act against this petitioner and similarly situated co-accused persons, namely, Nandan Yadav and



Pankaj Yadav have been granted anticipatory bail *vide* Cr. Misc. No. 38784/2025 on 08.10.2025 itself, this Court is inclined to extend them the privilege of anticipatory bail subject to the condition that the informant will have a liberty that in case of any overt-act or pressure of any kind given to them for settling the case against their will, they would be at liberty to file cases before the police and the local police shall be obliged to examine the facts and on finding the allegations true, the court concerned where this case is pending would be at liberty to cancel the bail of these petitioners by giving them proper hearing.

7. Let the petitioner, above named, 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, Begusarai in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 bail bond by the Trial Court itself;



(iii) the petitioners 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

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

(Ajit Kumar, J)

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