

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42813 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- DUMRAO District- Buxar

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1. Lalbabu Yadav S/O Bhola Yadav Resident of Village- Hata Dumraon, P.S- Dumraon, District- Buxar.
 2. Diwan Yadav S/O Bhola Yadav Resident of Village- Hata Dumraon, P.S- Dumraon, District- Buxar
 3. Upendra Yadav S/O Lalbabu Yadav Resident of Village- Hata Dumraon, P.S- Dumraon, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Rai Sharma

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-08-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The defects pointed out by the office are hereby
ignored.

3. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 191(2),
190, 126(2), 115(2), 109(1), 324(4), 352, 351(3) of the
Bharatiya Nyaya Sanhita.

4. Learned counsel for the petitioners submits that the
petitioner No. 1 and 2 have antecedent of one case and
petitioner No. 3 is a person with clean antecedent and the
informant alleges informant alleges that while he was
constructing his eaves (*chajja*) when the accused persons came
and thereafter Lal Babu Yadav assaulted him by *lathi* causing



injury on back, thereafter Lal Babu Yadav and Diwan Yadav assaulted Manoj by an iron rod causing injury on head, further Samita Kumari and Upendra also assaulted Manoj by *lathi* causing injury on head, thereafter Ganesh Yadav assaulted Ashok by *ballam* causing injury on his left palm, thereafter Jitendra inflicted an iron rod blow on Ashok Singh causing injury on head and Ganesh and Upendra also assaulted Ashok Singh on head when villagers came and pacified the matter.

5. The learned counsel for petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that he along with Manoj and Ashok were assaulted. It is next submitted no doubt one of the injuries of Ashok and Manoj is opined to be grievous, but then allegation of assault is not specific. It is also submitted that on account of dispute relating to construction of eaves, the occurrence is alleged to have taken place in which both sides assaulted each other and from the side of the petitioners Dumraon P.S. Case No. 45 of 2025 came to be instituted against the side of the informant and others. It is further submitted petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

6. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Dumraon P.S. Case No. 43 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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