

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42786 of 2025

Arising Out of PS. Case No.-207 Year-2024 Thana- RAXAUL District- East Champaran

1. Vinay Yadav @ Vinay Kumar Yadav S/o- Rajendra Yadav
 2. Lalbabu Yadav @ Lalbabu Rai S/o- Rajendra Yadav
 3. Mahendra Yadav S/o- Rajendra Yadav
 4. Birendra Yadav @ Birendra Kumar Yadav S/o- Rajendra Yadav
- All are R/o Village- Siswa Ward No 1 PS- Raxaul District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishal Prasad, Advocate
For the Opposite Party/s : Ms.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-10-2025 Heard Mr.Vishal Prasad, learned counsel for the

petitioners and Ms.Renu Kumari, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Raxaul P.S.Case No.207 of 2024, FIR dated
17.06.2024 registered for the offences punishable under
Sections 341,323,307,379,504,506,34 of the Indian Penal
Code.

3. Allegation against the petitioners is that they
assaulted to the informant and her family members due to
which they suffered serious injuries on the vital part of the



body.

4. Learned counsel for the petitioners submits that petitioner Nos.1, 3 and 4 have clean antecedent and petitioner No.2 carries one more case other than the present one but he is on bail in the pending matter. Learned counsel for the petitioners submits that from a bare perusal of the FIR it appears that although the petitioners are named in the FIR but it appears that there is no specific allegation of any assault or overt-act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners and the husband of the informant has received the injury but the injury report of the husband of the informant suggests that the injury is simple in nature.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, injury inflicted upon the injured person is simple in nature and there is no specific allegation of any assault or overt-act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the



petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, East Champaran, Motihari in connection with Raxaul P.S.Case No.207 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in



case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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