

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38765 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- HASPURA District- Aurangabad

1. Munna Kumar @ Radha Mohan Yadav @ Munna Yadav S/o Ramjanam Yadav@Ramjanam Singh Resident of Village- Jakhaura Tole Sajeevan/Sampati Bigha, PS- Haspura, Distt.- Aurangabad, Bihar
2. Manmohan Kumar @ Mohan Yadav S/o Ramjanam Yadav@Ramjanam Singh Resident of Village- Jakhaura Tole Sajeevan/Sampati Bigha, PS- Haspura, Distt.- Aurangabad, Bihar
3. Shiv Narayan Yadav S/o Late Manraj Yadav Resident of Village- Jakhaura Tole Sajeevan/Sampati Bigha, PS- Haspura, Distt.- Aurangabad, Bihar
4. Jay Narayan Yadav S/o Late Manraj Yadav Resident of Village- Jakhaura Tole Sajeevan/Sampati Bigha, PS- Haspura, Distt.- Aurangabad, Bihar
5. Shyam Narayan Yadav S/o Late Manraj Yadav Resident of Village- Jakhaura Tole Sajeevan/Sampati Bigha, PS- Haspura, Distt.- Aurangabad, Bihar
6. Nitish Kumar @ Satish Kumar S/o Shyam Narayan Yadav Resident of Village- Jakhaura Tole Sajeevan/Sampati Bigha, PS- Haspura, Distt.- Aurangabad, Bihar
7. Chandan Kumar S/o Dhananjay Yadav Resident of Village- Jakhaura Tole Sajeevan/Sampati Bigha, PS- Haspura, Distt.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar, Adv.
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-10-2025 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Haspura P.S. Case No. 79 of 2025 for the offence registered under sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109(1), 74, 303(2), 351(3) of BNS lodged on 18.03.2025



by the informant, Reena Kunwar.

3. As per the prosecution story, the informant, Reena Kunwar alleged that while they were sitting at home, Rajendra Yadav came, abused and then opened fire. Further, he gave iron rod blow on the head of the informant. Accused, Dharmendra Kumar assaulted Shyama Devi, her mother-in-law on the hand causing fracture. He along with Dhananjay Kumar snatched the gold ornament from the mother-in-law. Later, allegation is that when the two brother-in-laws came to rescue, Madan Mohan assaulted with rod causing injury to Brijnandan Yadav. Further, omnibus allegation is against these petitioners of assaulting all of them. Last allegation is against Rahul that he gave rod blow to Ramesh Singh causing fracture in his hand. This led to the FIR.

4. Learned Counsel for the petitioners submit that a perusal of the FIR would show that main allegation is against Rajendra, Dharmendra, Madan Mohan and Rahul of assaulting the informant, Shyama Devi, Brijnandan Singh and Ramesh Singh respectively. So far as these petitioners are concerned, only omnibus allegation is there. There is a counter case lodged by the petitioner's side which is earlier to the present case, none of them have criminal antecedent.



5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the injuries to Shyama Devi has been found to be grievous in nature.

6. Considering the submissions of the parties as also that the allegation mainly is against Rajendra, Dharmendra, Madan Mohan and Rahul, omnibus allegation is against these petitioners, main role of assaulting Shyama Devi has been assigned to Dharmendra, these petitioners have no criminal antecedent, in that background, this Court is inclined to grant them the anticipatory bail with conditions.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of J.M.F.C., Daudnagar, Aurangabad/concerned Court in connection with Haspura P.S. Case No. 79 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *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 appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) 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 bonds;

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

(Rajiv Roy, J)

Vijay Singh/-

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