

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37285 of 2025

Arising Out of PS. Case No.-18 Year-2018 Thana- BHEJA District- Madhubani

Durga Nand Yadav, Son of Jay Krishan Yadav, Resident of Village-
Bhargama, P.S.- Bheja, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 10-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bheja P.S. Case No. 18 of 2018 registered for the offences punishable under Sections 341, 323, 324, 379, 307, 504/34 of the Indian Penal Code.

3. Allegedly while the informant was returning to the village on his motorcycle, all the F.I.R. named accused persons, including the petitioner, surrounded him and started abusing and assaulting. There is allegation against the petitioner is of causing *Farsa* blow over the head of the informant. Further allegation of assault and snatching valuables has been levelled against the other co-accused persons.

4. Learned Advocate for the petitioner submitted that besides the fact that there is a case and counter case and the



previous enmity between the parties, the police in course of investigation had not found the complicity of the petitioner in the crime and, therefore, the petitioner was not even sent up for trial. To support the aforesaid contention, Final Form/Report has been placed on record as Annexure-P/5 to the application. Despite the aforesaid facts, the learned jurisdictional court took cognizance against the petitioner and others for the offences, as alleged in the F.I.R., vide its order dated 31.05.2024, the copy of which is marked as Annexure-P/6 to the petition, hence the apprehension of arrest arises and the petitioner approached before the Court for grant of anticipatory bail. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that there is specific allegation against the petitioner of causing *Farsa* blow on the head of the informant.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the fact that the petitioner has not been sent up for trial, however, differing with the Final Form/Report, the jurisdictional court took cognizance for the offences, as alleged in the F.I.R.,



coupled with the fair antecedent of the petitioner and the fact that other accused persons have already been allowed the privilege of anticipatory bail by the learned coordinate Benches of this Court, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Jhanjharpur, Madhubani in connection with Bheja P.S. Case No. 18 of 2018, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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