

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38339 of 2025

Arising Out of PS. Case No.-625 Year-2021 Thana- COMPLAINT CASE District- Jamui

1. Ashok Yadav @ Ashok Kumar Yadav S/O Parmeshwar Yadav R/O Village- Gudiyadih, P.S-Chakai, Dist- Jamui.
2. Binod Yadav @ Binod Kumar Yadav S/O Dhaneshwar Yadav R/O Village- Gudiyadih, P.S-Chakai, Dist- Jamui.
3. Surendra Yadav @ Surendra Kumar Yadav S/O Dhaneshwar Yadav R/O Village- Gudiyadih, P.S-Chakai, Dist- Jamui.
4. Mukesh Yadav S/O Parmeshwar Yadav R/O Village- Gudiyadih, P.S-Chakai, Dist- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Most. Babni Devi W/O Late Bhumi Yadav R/O Gudiyadih, P.S - Chakai, Distt.- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-08-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 323, 384, 354, 379, 427, 504 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the case was taken up on 27.06.2025 when notices were issued on opposite party no. 2. It is further submitted that from perusal of the office report dated 28.08.2025, it would manifest that the same records that the notice on behalf of opposite party no. 2



has been received by her son.

4. Since notice has been received by the son of opposite party no. 2, as such, the notice is deemed to be validly served.

5. No one appears despite receiving notice on behalf of opposite party no. 2.

6. Learned counsel for the petitioners submits that petitioners have antecedent of one case but then the case was also instituted by the side of opposite party no. 2. It is further submitted that the complainant alleges that co-accused persons including the petitioners surrounded her house and started abusing her. Further, the accused persons also assaulted the complainant with fists and legs and broke some household articles.

7. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the complaint, it would manifest that there is admitted land dispute between the parties and there is case and a counter case between them. It is further submitted that no specific allegation of assault is alleged against the petitioners rather the allegation of assault is general and omnibus in nature. It is next submitted that co-accused, namely, Fuldev Yadav had approached this Court seeking



anticipatory bail by filing Cr. Misc. No. 38139 of 2024 and the same was allowed by an order dated 26.06.2024 by a learned Coordinate Bench of this Court. It is also submitted that case of the petitioners is similar to the case of Fuldev Yadav.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

9. Considering the submissions made by the learned counsel for the petitioners, let 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.10,000/- (Rupees Ten 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 Complaint Case No. 625C of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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