

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38446 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- Kanaria District- Saharsa

Santosh Yadav @ Saith @ Seth son of Dinanath Yadav Vill- Ghoshsam Ps-
Kanaria Dist -Saharsa

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N.K. Agrawal, Sr. Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-06-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Kanaria P.S. Case No. 21 of 2024 instituted under Sections 121, 121(A), 122, 126(2), 115(2), 109, 303(2), 352, 351(3), 3(5) of B.N.S., 2023 and subsequently offence under sections 191(2), 191(3), 190 of B.N.S. Act lodged on 05.12.2024 by the informant, Sindhu Kumar.

3. As per the prosecution story, the allegation is that after the victory of PACS election, in the procession that moved, people were armed variously and the allegation is that Madan Yadav assaulted with *farsa* to the informant while Ashok Yadav gave blow to Jibachh Yadav by *farsa*.

4. Learned Senior Counsel for the petitioner submits that the case has come only due to PACS enmity, his name



stands included, the main allegation is against Madan Yadav and Ashok Yadav and the last submission is that similarly placed co-accused Bal Krishna Yadav and Jay Krishan Yadav have been extended relief in Cr. Misc. No. 30883 of 2025.

5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that the role of this petitioner has also come.

6. Considering the aforesaid submissions of the parties as also that the main allegation is against Ashok Yadav and Madan Yadav, similarly placed others have been granted relief as stated above, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Kanaria P.S. Case No. 21 of 2024 to the satisfaction of learned Judicial Magistrate 1st Class, Saharsa subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner 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 petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

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

(Rajiv Roy, J)

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