

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41559 of 2025

Arising Out of PS. Case No.-146 Year-2024 Thana- Panchanpur District- Gaya

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1. Bindalal Kumar @ Bindalal Yadav S/O Parmeshwar Yadav R/O Village- Karhara, P.S- Panchanpur, Distt.- Gaya.
 2. Basant Yadav @ Chamru Yadav S/O Biru Yadav @ Shivnandan Yadav R/O Village- Karhara, P.S- Panchanpur, Distt.- Gaya.
 3. Dipak Kumar @ Dipak Yadav S/O Bilat Yadav R/O Village- Karhara, P.S- Panchanpur, Distt.- Gaya.
 4. Subodh Kumar S/O Parmeshwar Yadav R/O Village- Karhara, P.S- Panchanpur, Distt.- Gaya.
 5. Dharmendra Kumar @ Dharmendra Yadav S/O Jawahir Yadav @ Jawahar Yadav R/O Village- Karhara, P.S- Panchanpur, Distt.- Gaya.
 6. Sachin Kumar S/O Basant Yadav @ Chamru Yadav R/O Village- Karhara, P.S- Panchanpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. At the very outset, learned counsel for the petitioner submitted that petitioner no. 1 namely, Bindalal Kumar @ Bindalal Yadav has been arrested during the pendency of this application and prays to withdraw the instant bail application in respect of petitioner no. 1.

3. In such view of the matter, the instant bail



application is dismissed as withdrawn so far as it relates to petitioner no. 1.

4. Now, the instant bail application is confined only to petitioner nos. 2, 3, 4, 5 & 6.

5. The petitioner nos. 2, 3, 4, 5 & 6 apprehend arrest in connection with Panchanpur P.S. Case No. 146 of 2024 dated 14.11.2024, instituted for the offence punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 352, 351(2), 303(2) of the B.N.S.

6. The allegation against the petitioners are that they along with other co-accused persons formed an unlawful assembly and assaulted the informant and his family members by means of lathi, danda, iron rod and butt of the pistol. It is further alleged that accused persons took out Rs. 2000/- from the pocket of the informant and snatched gold chain from his neck.

7. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the FIR has been lodged against 12 persons including the petitioners. There is no specific allegation against the petitioners rather the allegations levelled against the petitioners is general and omnibus in nature. It is



next submitted that the co-accused Munna Yadav is said to have assaulted with butt of the pistol on the head of the informant due to which he sustained head injury. The doctor has opined the injury of Dhiraj Kumar and Shiv Kumar as simple in nature. So far injury of Anil Yadav (informant) is concerned, it is grievous in nature but it is not on vital part of the body. Lastly, it has been submitted that the petitioner nos. 3 & 5 have no criminal antecedents whereas petitioner nos. 2, 4 & 6 have one criminal case each against them.

8. Learned A.P.P. has opposed the prayer for bail of the petitioner.

9. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner nos. 2, 3, 4, 5 & 6 within a period of six weeks from today, in connection with Panchanpur P.S. Case No. 146 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- VIII, Gaya, subject to condition as laid down under Section 482(2) of the B.N.S.S. as also to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. One of the bailors will be their own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailors shall also state on affidavit that they will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

Sankalp/-

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