

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39404 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- MIRGANJ District- Gopalganj

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1. Rahul Yadav S/o Mogal Yadav R/o Village- Piprakhas, Tiwari Tola, PS-Mirganj, District- Gopalganj
 2. Arun Yadav S/o Mogal Yadav R/o Village- Piprakhas, Tiwari Tola, PS-Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 09-07-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Mirganj Police Station Case No. 11 of 2025, disclosing offences under Sections 126(2), 115(2), 109, 303(2), 352, 351(2) and 3(5) of the BNS, 2023.
3. Learned counsel for the petitioners, after some arguments, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no. 1.
4. Permission is granted.
5. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to petitioner



no. 1.

6. As per the prosecution case, on 07.01.2025, when the informant was sitting in his room, the petitioners arrived there in their Scorpio vehicle, in which three to four persons were sitting. The petitioners and others knocked the door of the informant, and when the informant opened the door, petitioner no. 2 caught hold the informant and petitioner no. 1 assaulted him on his face and eye with the pistol's butt, due to which the informant sustained injury near his eyes. It has also been alleged that petitioner no. 1 snatched golden chain of the informant worth Rs. 70,000/-.

7. Learned counsel for the petitioner no. 2 submits that the allegation against petitioner no. 2 is that he only caught hold the informant and the allegation of assault is upon petitioner no. 1, Rahul Yadav, whose anticipatory bail application has been withdrawn. Petitioner No. 2 is having no criminal antecedent.

8. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is no allegation of assault upon petitioner no. 2 and he is having no criminal antecedent, accordingly, I am inclined to grant privilege of anticipatory bail to petitioner no. 2.



9. This application is partly allowed to the extent indicated above.

10. Let the petitioner no. 2, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-10, Gopalganj, in connection with Mirganj Police Station Case No. 11 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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