

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38519 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- DHORAIYA District- Banka

1. Pawan Kumar Yadav @ Pawan Yadav son of Panchanand Yadav Resident of village- Banthi Police Station -Dhoraiya , District Banka
2. Panchanand Yadav Son of Late Tunak Yadav Resident of village- Banthi Police Station -Dhoraiya , District Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Balram Kapri

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-06-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Dhoraiya P.S. Case No. 31 of 2025 for the offence under Sections 126(2), 115(2), 118(1), 109(1), 127(2), 76, 303(2), 351(2) & 3(5) of the Bhartiya Nyaya Sanhita, 2023, lodged on 02.02.2025 by the informant, Lalia Devi.

3. As per the prosecution story, the informant alleged that the accused side firstly tried to abduct her son and later upon protest, assaulted both the informant and her husband. The specific allegation is against Pawan Yadav of assaulting her husband causing injury on the head. The allegation against petitioner no. 2 is of giving blow on the leg of the informant's



husband. Further allegation is of snatching some amount. This led to the F.I.R.

4. Learned counsel for the petitioners submit that both are agnates and due to minor dispute, exaggerated allegation is there.

5. Learned APP on the other hand has taken this Court to the learned Sessions Judge order that the blow inflicted by Pawan Kumar Yadav upon Bibhishan Yadav has been found to be grievous in nature.

6. Considering the allegation that has come against the petitioner no. 1, Pawan Yadav, his anticipatory bail application stands rejected.

7. So far as petitioner no. 2, namely, Panchanand Yadav is concerned, the only allegation against him is of assaulting on the leg, he is aged about 75 years, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

8. Let the petitioner no. 2, namely namely, Panchanand Yadav be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of



learned Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No. 31 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member /relative of the petitioner no. 2 who shall provide official document to show his/her bona fide;

(ii) the petitioner no. 2 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/her bail bond by the Trial Court itself;

(iii) the petitioner no. 2 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;

(iv) the petitioner no. 2 shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

9. The application stands disposed of.

(Rajiv Roy, J)

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