

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44526 of 2025

Arising Out of PS. Case No.-149 Year-2024 Thana- Rangara District- Bhagalpur

1. Vidya Devi Wife of Late Umesh Yadav Resident of Village - Bhawanipur, Police Station - Rangra, District - Bhagalpur.
2. Raj Kumar @ Raj Kumar Yadav @ Jhakho Yadav Son of Late Umesh Yadav Resident of Village - Bhawanipur, Police Station - Rangra, District - Bhagalpur.
3. Reawati Yadav @ Repti Kumar Yadav Son of Late Umesh Yadav Resident of Village - Bhawanipur, Police Station - Rangra, District - Bhagalpur.
4. Gurudev Yadav Son of Late Umesh Yadav Resident of Village - Bhawanipur, Police Station - Rangra, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the State : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-10-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Rangra P.S. Case No. 149 of 2024 registered for the offence under Sections 126(2), 115(2), 118(1), 109, 303(2), 351(2)(3) and 3(5) of the Bharatiya Nyaya Sanhita, lodged on 27.12.2024 by the informant, Yamuna Prasad Yadav.

3. As per the prosecution story, the informant alleged that while moving on the vehicle, when they reached near the house of Umesh Yadav, allegation is that Vidya Devi pushed her grandson in front of the moving vehicle. Anyhow, he was saved.



When the occupant came out and protested, allegation is that all the accused persons started assaulting the informant/son. Specific allegation is that Rewati Yadav that he assaulted his son, Nishant Kumar on the head causing injury. Raj Kumar Yadav opened fire which crossed his ears, Gurudev Yadav and Reshmi Kumari gave bricks blow. Both the informant and his son were injured, were sent to the hospital and then the F.I.R.

4. Learned counsel for the petitioners submit that only to implicate all the family members, they have been named in the F.I.R. Both the petitioner no.1, Vidya Devi and petitioner no.4, Gurudev Yadav are having clean antecedent, if granted relief, all the petitioners they shall be diligently appearing in trial.

5. Learned APP, Mr. Bharat Bhushan opposes the prayer submitting that so far as the petitioner no.2, Raj Kumar @ Raj Kumar Yadav @ Jhakho Yadave as also the petitioner no.3, Reawati Yadav @ Repti Kumar Yadav are concerned, specific allegation of assault is/are on them.

6. Considering the submissions of the parties as also the material on record, no relief can be extended to the petitioner no.2, Raj Kumar @ Raj Kumar Yadav @ Jhakho Yadave and petitioner no.3, Reawati Yadav @ Repti Kumar



Yadav and their anticipatory bail application stands rejected.

7. So far as the petitioner no.1, Vidya Devi and petitioner no.4, Gurudev Yadav are concerned, though omnibus allegation is there, one of them is a lady, both have no criminal antecedent, an undertaking has been given that they shall be diligently appearing in trial, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

8. Let the petitioner no.1, Vidya Devi and petitioner no.4, Gurudev 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) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Naugachia, in connection with Rangra P.S. Case No. 149 of 2024 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.1, Vidya Devi and petitioner no.4, Gurudev Yadav who shall provide official document to show his/her bona fide;

(ii) the petitioner no.1, Vidya Devi and petitioner no.4, Gurudev Yadav 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 their bail bond by the Trial Court itself;

(iii) the petitioner no.1, Vidya Devi and petitioner no.4, Gurudev Yadav 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.1, Vidya Devi and petitioner no.4, Gurudev Yadav shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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