

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38532 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- FULKAHA District- Araria

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1. Mukesh Yadav @ Mukesh Kumar S/O Jay Narayan Yadav Resident of Village- Lakshmipur, P.s- Fulkaha, Dist- Araria
 2. Rupesh Yadav @ Rupesh Kumar S/O Jay Narayan Yadav Resident of Village- Lakshmipur, P.s- Fulkaha, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

5 03-09-2025 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners seek bail in connection with Fulkaha P.S. Case No. 40 of 2025 instituted for the offence punishable under Sections 191(2), 262, 190, 126(2), 115(2), 105, 121(1), 121(2), 132, 324(4), 352, 351(2), 303(2), 61(2) of the B.N.S.

3. The prosecution case, in short, is that on input, the Informant, who is the officer-in-charge of Phulkaha P.S., along with police personnel reached to arrest Anmol Yadav who had come to attend the marriage of daughter of Subhas Yadav and found Anmol Yadav along with some associates at Lakshmipur



Chowk in front of a shop. Having seen the police, he tried to escape but was arrested. On interrogation, he gave his details and sat on police vehicle and then 17 named persons including the petitioners and 50 to 60 unknown persons armed with weapons, according to local Chawkidar, surrounded the police vehicle. Aforesaid persons damaged the police vehicle bearing Registration No. BR-38P-3479 by means of lathi, danda and iron rod and also tried to bring down Anmol Yadav from Government vehicle and also started to give threatening after abusing. The informant also said that they are police personnel of Fulkaha Police Station. In course of hustle, A.S.I. Rajiv Ranjan Mal fell down on road and became senseless. He was brought to Sub- Divisional Hospital, Forbesganj and the Doctor declared him dead. The arrested person, Anmol Yadav, was taken away forcefully by the all accused persons.

4. Learned counsel for the petitioners submits that FIR has been lodged against 18 named accused persons including the petitioners and 50-60 unknown persons. There is no allegation against the petitioners. The allegation is general and omnibus. Learned counsel further submits that the petitioners have a tempo bearing Registration no. BR38P4315 in the name of their mother namely Manjila Kumari and they are



driver of the same and used to bring guests of Subhash Yadav and both of them are well known to local chaukidar with whom they have enemical terms. Lastly, it has been submitted that the petitioners have clean antecedent and are in custody since 07.05.2025.

5. Learned A.P.P for the State opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on 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 Judicial Magistrate 1st Class, Araria in connection with Fulkaha P.S. Case No. 40 of 2025.

(Khatim Reza, J)

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