

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38828 of 2025

Arising Out of PS. Case No.-390 Year-2024 Thana- PARAIYA District- Gaya

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1. Umesh Yadav Son of Barat Yadav @ Rambrat Yadav Resident of Village -Bagahi Tola, Bankepur, PS -Paraiya, Distt.-Gaya
 2. Munniya Yadav @ Munni Devi Wife of Umesh Yadav Resident of Village -Bagahi Tola, Bankepur, PS -Paraiya, Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-06-2025 Heard Learned Counsel for the petitioners and Learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Paraiya P.S. Case No. 390 of 2024, lodged on 02.11.2024, under Sections 126(2)/115(2) /109/117(2) /352 / 351(2)/3(5) of B.N.S. 2023.

3. As per the prosecution, the FIR has been lodged against six named accused persons including the present petitioners. In the FIR it has been alleged that all six accused persons have reached at the house of the informant and assaulted



one child. In the said incident two persons had been badly injured who had been admitted to hospital as alleged in the FIR.

4. Learned Counsel for the petitioners submits that from the content of the FIR the general and omnibus allegation is there, nothing specific is against anyone. Counsel submits that the case at best is of assaulting by lathi and danda. Counsel submits that antecedent of the petitioners are clean and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is direct allegation of assault against the accused persons.

6. Upon perusal of the rejection order, it transpires that by the assault made by the petitioners and others, the death has been caused to injured Feku Yadav and death has been caused by the said injury.

7. In this background, this Court is not inclined to grant bail to the petitioners. Hence, the anticipatory bail application of petitioners is hereby rejected.

(Dr. Anshuman, J)

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