

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41111 of 2025

Arising Out of PS. Case No.-645 Year-2024 Thana- FATUA District- Patna

1. Rama Yadav S/O Late Pyare Yadav Resident of Village- Naraina, P.S- Fatuha, District- Patna
2. Jai Yadav @ Lagdeo Yadav @ Jagdeo Yadav @ Judge Yadav S/O Rama Yadav Resident of Village- Naraina, P.S- Fatuha, District- Patna
3. Amar Yadav S/O Rama Yadav Resident of Village- Naraina, P.S- Fatuha, District- Patna
4. Manish Yadav S/O Rama Yadav Resident of Village- Naraina, P.S- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-07-2025 Heard the parties.

2. The petitioners are apprehending arrest in connection with Fatuha P.S. Case No. 645 of 2024 instituted under Sections 126, 115(2), 109, 352, 351(2), 3(5) of B.N.S. and 27 of Arms Act lodged on 14.09.2024 by the informant, Sidheshwar Singh.

3. As per the prosecution story, the informant alleged that he is running a tea stall and when sitting in his shop, the accused persons came and took out Rs.11,000/- present in the box and when the nephew protested, was also assaulted. This



led to the FIR.

4. Learned counsel for the petitioners submit that they have clean antecedent, due to minor scuffle, a story has been narrated. Learned counsel submits that though one of the injury, the opinion has been reserved, the other has been found to be found to be simple in nature, on their own they would like to pay Rs. 5000/- each (totalling Rs. 20,000/-) for the informant (Rs.11,000/-) and for the nephew (Rs. 9000/-) irrespective of the outcome of the present case and/or accepting the allegation, through Demand Draft issued by the local branch of the State Bank of India to be submitted before the concerned Court to be handed over to the informant and the nephew.

5. Learned APP opposes the prayer stating that the allegation of assault is on the accused persons and they also took out Rs.11,000/- from the box.

6. Considering the submissions of the parties as also the fact that the petitioners have no criminal antecedent, one of the injury has been found to be simple in nature, he undertakes to diligently appearing in trial, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs. 5000/- each (totalling Rs. 20,000/-) for the informant (Rs.11,000/-) and for the nephew (Rs. 9000/-)



irrespective of the outcome of the present case and/or accepting the allegation, through Demand Draft issued by the local branch of the State Bank of India to be submitted before the concerned Court to be handed over to the informant and the nephew.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court 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 the like amount each in connection with Fatuha P.S. Case No. 645 of 2024 to the satisfaction of learned A.C.J.M.-II, Patna City subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 petitioners shall co-operate in the investigation and make themselves available to the police as and



when required;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners 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;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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