

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41951 of 2025

Arising Out of PS. Case No.-179 Year-2024 Thana- SRINAGAR District- West Champaran

1. Guddu Yadav @ Guddu Kumar @ Guddu Kumar Yadav S/o- Manejar Yadav Village- Kohra Begai Tola Ps- Srinagar Dist- West Champaran
2. Bhola Yadav @ Bhola Kumar S/o- Manejar Yadav Village- Kohra Begai Tola Ps- Srinagar Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-07-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Srinagar P.S. Case No. 179 of 2024 for the offence under Sections 126(2), 115(2), 118(1), 74, 109, 303(2), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita lodged on 18.12.2024, by the informant, Rina Devi.

3. As per the prosecution story, the informant alleged that on the minor dispute of putting up of woods on the passage, allegation is that the agnates of the informant assaulted her daughter with knife causing injury. The allegation is mainly on petitioner no. 1, Guddu Yadav, when the informant came to rescue, allegation is that petitioner no. 2, Bhola Yadav also



resorted to scuffle, the injured was taken to Government Medical College and Hospital, Bettiah for treatment which followed the F.I.R.

4. Learned counsel for the petitioners submits that exaggerated allegation is there, the fact remains that the injuries have been found to be simple in nature (Annexure P-2 series) both the petitioners have no criminal antecedent and the last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioners on their own would like to contribute Rs. 5,000/- each (totalling Rs. 10,000/-) towards the medical assistance of the injured through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that though the injury has been found to be simple in nature allegation of assault is there.

6. Taking into account the fact that the petitioners have no criminal antecedent, injuries have been found to be simple in nature, 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 subject to payment of Rs. 5,000/- each (totalling Rs. 10,000/-) as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court to be handed over to the injured.

7. Let the petitioners 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 Judicial Magistrate-First Class, Bettiah, West Champaran in connection with Srinagar P.S. Case No. 179 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 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 appear before the concerned police station every fortnight for next six months to mark their



attendance;

(iv) 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;

(v) the petitioners 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)

Ankit Kumar/-

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