

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46122 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- JADIA District- Supaul

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1. Shambhu Yadav @ Shambhu Kumar Yadav @ Shambhu Kumar Suman@Shnbhu Yadav S/o- Anmol Yadav@Anmola Yadav Village-Barahkurwa W.No-2, Ps- Bhatni Bazar Dist- Madhepura
 2. Sanjeev Kumar Yadav @ Sanjeev Kumar S/o- Anmol Yadav Village-Barahkurwa W.No-2, Ps- Bhatni Bazar KumarKhand Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Adv.
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 09-12-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 127(7), 115(2), 117(2), 74, 109(1), 303(2), 352 and 351(2) of the BNS, 2023 read with Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case, but then the said case was also instituted from the side of the instant informant earlier. It is next submitted that the informant alleges that 20.12.2024 at 07:30 PM while he was at his home with his family members when 17 named accused persons including the petitioners along



with 20-25 unknown accused came and Rajesh gave orders to shoot and loot when Shailesh caught him and Pravesh fired causing injury on waist of his wife while petitioners fired causing injury on leg of Mohan, further Anshu assaulted his *Bhabhi*, Rekha by arrow causing injury on hand, next alleges that Rajesh, Shailesh and Vikash were assaulting while other accused were looting, it is next alleged that accused had come on two four wheelers and several motorcycles and even assaulted his mother.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the FIR does not even remotely suggest or give the reason for the occurrence. It is further submitted that though it is alleged that petitioners fired causing injury on leg of Mohan, but then Mohan did not receive any firearm injury which casts an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State opposes the anticipatory bail application, but then is not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that Mohan did not receive any firearm



injury, after perusing the case diary.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jadia P.S. Case No. 233 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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