

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42253 of 2025

Arising out of PS. Case No.-72 Year-2024 Thana- MAIGRA District- Gaya

1. Ramroop Yadav S/o Doman Yadav Resident of village- Harni tola, Tarwadih, P.S.- Maigra, District- Gaya
2. Naresh Yadav S/o Late Chander Yadav Resident of village- Harni tola, Tarwadih, P.S.- Maigra, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 42275 of 2025

Arising out of PS. Case No.-72 Year-2024 Thana- MAIGRA District- Gaya

1. Gautam Kumar Yadav @ Gautam Yadav S/o- Doman Yadav Resident of village- Harni Tola Tarwadih PS- Maigra District-Gaya
2. Prince Yadav @ Prish Yadav @ Prince Kumar Yadav S/o- Doman Yadav Resident of village- Harni Tola Tarwadih PS- Maigra District-Gaya
3. Vijay Yadav S/o- Jagdeo Yadav Resident of village- Harni Tola Tarwadih PS- Maigra District-Gaya
4. Nitish Yadav @ Nitish Kumar S/o- Shambhu Yadav Resident of village- Harni Tola Tarwadih PS- Maigra District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 42253 of 2025)
For the Petitioner/s : Mr. Yogesh Kumar, Advocate
For the Informant : Mr. Niraj Kumar, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP
(In CRIMINAL MISCELLANEOUS No. 42275 of 2025)
For the Petitioner/s : Mr. Yogesh Kumar, Advocate
For the Informant : Mr. Niraj Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER



2 11-07-2025 Head learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109 and 3(5) of the B.N.S. Act and Section 25(1-B)(a), 26 and 27 of the Arms Act to which Section 103 of B.N.S was added subsequently. All the petitioners have two criminal antecedents except petitioners of Cr. Misc. No. 42275 of 2025 namely Gautam Kumar Yadav @ Gautam Yadav and Nitish Yadav @ Nitish Kumar have one criminal antecedent

3. As per FIR, allegation against the petitioners is that they along with other co-accused persons armed with Lathi, Danda, Iron Rod & Firearms brutally assaulted the informant and his family members due to which all victims have sustained multiple injuries over the vital and non-vital parts of their bodies. It is further alleged that on the orders of Narayan Yadav, Raja Yadav and Lalbir Yadav, Gaurav Kumar fired from his pistol which hit the leg of Dwarika Yadav causing injury.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. There is no specific overt act against the petitioners rather the allegation is general and omnibus in nature. There is case and counter case



between both the parties. It is further submitted by learned counsel for the petitioners that Petitioners, Ramroop Yadav and Naresh Yadav have also sustained grievous injuries. It is also submitted by learned counsel for the petitioners that co-accused Shambhu Yadav *vide* order dated 16.05.2025 passed in Cr. Misc. No. 31517 of 2025 and Raja Yadav *vide* order dated 16.05.2025 of 2025 have been granted regular bail and Harendra Yadav *vide* order passed in Cr. Misc. No. 37403 of 2025 has been granted anticipatory bail by this Court. It has lastly been submitted that all the petitioners have two criminal antecedents except petitioners of Cr. Misc. No. 42275 of 2025 namely Gautam Kumar Yadav @ Gautam Yadav and Nitish Yadav @ Nitish Kumar have one criminal antecedent.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail of the petitioners. Learned counsel for the informant has stated that several persons were injured in the assault by the Petitioners and other co-accused persons and as such the petitioners should not be released on anticipatory bail.

7. Considering the aforesaid facts and circumstances of the case and taking into account the fact that no specific overt act has been alleged against the petitioners and co-accused



persons have already been enlarged on bail by this Court, in the event of their arrest or surrender within four weeks, the petitioners, above named, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending before the concerned court, Gaya in connection with Maigra P.S. Case No. 72 of 2024 subject to the conditions that

a. One of the bailors of the petitioners shall be her close relative.

b. The petitioners shall remain physically present in Court on each date of the trial.

c In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioners in similar nature of offence, the bail bond of the petitioners will be liable to be canceled by the Court concerned.

d And further condition that the court below shall verify the



criminal antecedent of the petitioners as above mentioned and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. In view of the antecedents of the petitioners, the petitioners are directed to appear before the Superintendent of Police, Gaya within fifteen days of their release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned.



8. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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