

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44140 of 2025

Arising Out of PS. Case No.-381 Year-2023 Thana- MADANPUR District- Aurangabad

1. Madhusudan Kumar son of Madan Yadav Resident of Khesar P.S -Madanpur, Dist- Aurangabad
2. Pappu Kumar son of Shankar Yadav Resident of Khesar P.S -Madanpur, Dist- Aurangabad
3. Manish Kumar Son of Shankar Yadav Resident of Khesar P.S -Madanpur, Dist- Aurangabad
4. Sonu Kumar son of Sipahi Yadav Resident of Khesar P.S -Madanpur, Dist- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Nakul Paswan Resident of Khesar P.S -Madanpur, Dist- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar
For the Opposite Party/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-07-2025 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 147, 148, 149, 341, 294, 323, 504, 506 and 354 of the Indian Penal Code and Sections 8 and 12 of POCSO Act and Sections 3(1)(r) (s)W(i)(ii), 2(va) of the Scheduled Castes and Scheduled Tribe (Prevention of Atrocities) Act.

3. Learned counsel for the petitioners submits that



petitioner No. 3 has antecedent of one case and rest of the petitioners are persons with clean antecedent. It is next submitted that petitioners being family members of Shashi Kumar came to be implicated in the instant case by the informant in order to coerce Shashi into submission as it is alleged that Shashi had acted inappropriately with the minor daughter of the informant.

4. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioners are innocent and thus submitted final form, as would manifest from annexure-4 to the anticipatory bail application, but then the learned trial court, differing with the police report, took cognizance, as such the petitioners apprehend their arrest. It is next submitted that when one investigating agency based on threadbare investigation came to a considered conclusion that petitioners are innocent whether it would be prudent for the court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same investigation report which found the petitioners innocent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 Madanpur P.S. Case No. 381 of 2023, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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