

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45339 of 2025

Arising Out of PS. Case No.-199 Year-2016 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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1. Rahul Kumar S/O Vijay Yadav R/O Vill.- Gopi Bigha, P.S.- Magadh Medical, District- Gaya
 2. Vijay Yadav S/O Shiv Balak Yadav R/O Vill.- Gopi Bigha, P.S.- Magadh Medical, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2025 Heard Mr. Vinod Kumar, learned counsel appearing on behalf of the petitioners and Mr. Gauri Shankar Gupta, learned APP for the State.

2. The petitioners seek anticipatory bail in connection with Magadh Medical P.S. Case No. 199 of 2016 registered on 08.11.2016 for the offence punishable under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code.

3. As per the F.I.R., while the informant after attending *Chhath Puja* was returning from his ancestral home at village Makhpa and going to his home at village, Azad Bigha, co-accused, Ravi Yadav assaulted him with the butt of the rifle on the right rib-case. Other FIR named accused persons armed with rifle and *lathi* also assaulted him. Informant was admitted



at A.N.M.C.H., Gaya.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged in the FIR. The injury sustained by the informant has been opined to be simple in nature and the specific allegation of assault is on one Ravi Yadav who has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 10328 of 2025 *vide* order dated 13.05.2025.

5. Learned APP vehemently opposed the prayer for grant of anticipatory bail of the petitioners submitting that the informant received injuries due to which he was admitted to the hospital. However, he further concedes that the accused person against whom there is specific allegation has been granted anticipatory bail by a Co-ordinate Bench of this Court.

6. Regard being had to the submissions made by the parties and taking into consideration the nature of allegation against the petitioners, the injury has been opined to be simple in nature and the fact that similarly placed co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 10328 of 2025, I am inclined to grant the petitioners the privilege of anticipatory bail.



7. Accordingly, let the petitioners, above named, are directed to be released on anticipatory bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-II, Gaya in connection with Magadh Medical P.S. Case No. 199 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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