

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52623 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- Kadwa District- Bhagalpur

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1. Gita Devi W/o Raghunandan Yadav R/o vill - Navin Nagar Punama,, P.S.- kadwa, Distt.- Bhagalpur
 2. Raghunandan Yadav S/o Late Fudi Yadav R/o vill - Navin Nagar Punama,, P.S.- kadwa, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the State : Mr. Aditya Narayan Singh-1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-08-2025 Heard Mr. Rajesh Kumar, learned counsel for the petitioners and Mr. Aditya Narayan Singh-1, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Kadwa P.S. Case No. 27 of 2025, F.I.R. dated 05.03.2025 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 74, 76, 303(2), 352, 351(2), (3), 3(5) of the B.N.S.

3. Allegation against the petitioners is that they along with other co-accused persons have assaulted the informant and his family members due to which they sustained injuries. It is further alleged that the accused petitioners tore the informant's



sister-in-law clothes due to which his sister-in-law became half naked and the gold earring stolen by the petitioners and threatened to kill them.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. It appears from the F.I.R. that due to some petty dispute the present occurrence had taken place. Although, the petitioners are named in the F.I.R. but there is no specific allegation of any assault or overt act attributed against these petitioners and there is specific allegation attributed against the accused persons namely Navin Yadav and Raj Kumar Yadav.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is no specific allegation of any assault or overt act attributed against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of



the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Naugachia, Bhagalpur in connection with Kadwa P.S. Case No. 27 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners 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.

(Rajesh Kumar Verma, J)

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