

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47245 of 2025

Arising Out of PS. Case No.-531 Year-2024 Thana- AMARPUR District- Banka

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1. Prakash Yadav S/o Late Basant Yadav Resident of village- Balua, police station - Amarpur, District - Banka
 2. Raj Kumar @ Raju Kumar S/o Prakash Yadav Resident of village- Balua, police station - Amarpur, District - Banka
 3. Manohar Kumar S/o Prakash Yadav Resident of village- Balua, police station - Amarpur, District - Banka
 4. Rahul Kumar S/o Prakash Yadav Resident of village- Balua, police station - Amarpur, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Amarpur P.S. Case No. 531 of 2024 lodged on 07.08.2024, for the offence punishable under Sections 126(2), 115(2), 74, 110, 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioners. It has been alleged in the FIR that petitioner no.1 namely, Prakash



Yadav has assaulted the informant's father by *lathi*, *danda* and iron rod on his head due to which injury has been caused and accused persons also assaulted the informant's mother and brother.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that except petitioner no.1, there is general and omnibus allegation against other accused persons. Counsel submits that both the parties are agnates and land dispute is going on between them. Counsel submits that the injuries are simple in nature and the petitioners have no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is specific allegation against petitioner no.1 of assault.

6. As such, in the present facts and circumstances of this case, let the petitioner no.2 namely, Raj Kumar @ Raju Kumar, petitioner no.3 namely, Manohar Kumar and petitioner no.4 namely, Rahul Kumar be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Chief



Judicial Magistrate, Banka in connection with Amarpur P.S.
Case No. 531 of 2024, subject to the conditions as laid down
U/s 482(2) of the B.N.S.S., 2023.

7. So far as bail application of petitioner no.1 namely,
Prakash Yadav is concerned, this Court is not inclined to grant
bail to him. Accordingly, the prayer for anticipatory bail of the
petitioner no.1 is hereby rejected.

(Dr. Anshuman, J)

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