

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50021 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- KHUTAUNA District- Madhubani

Arvind Yadav @ Arvind Kumar Yadav S/o Avtari Yadav R/o Village- Kusmar
Sivan Tol, P.S.- Khutauna, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Adv.
For the State	:	Mr. Damodar Prasad Tiwary, APP
For the Informant	:	Mr. Pramod Kr. Yadav, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 10-11-2025

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Khutauna P.S. Case No. 48/2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 352, 351(2), 109(1), 324(4), 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, co-accused persons alongwith 10 unknown accused persons assaulted Bobby Kumar. When the informant came to save Bobby Kumar, accused persons started damaging the house of the informant. When the same was protested, they assaulted and abused the informant. Thereafter, the petitioner asked the informant to come to his office. The informant and his son reached at the office of the



petitioner by motorcycle and they were assaulted at the said place. Co-accused Pramod Yadav & Bauna and Ajit Yadav fired on the informant's son with intention to kill him and bullet hit his son's right hand and right side of stomach due to which the informant's son became unconscious and fell down. On raising hulla, some villagers came and the accused persons fled away but one accused was caught during course of fleeing.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. From perusal of FIR, it appears that there is no specific allegation against the petitioner. He further submits that there is specific allegation of firing against co-accused Pramod Yadav @ Bauna and Ajit Yadav. The petitioner bears three criminal antecedents out of which in one case he has been acquitted and in another case the police has submitted final form against the petitioner and in yet another case he is already on bail. He further submits that there is inordinate delay of one day in lodging the FIR as occurrence took place on 16.04.2025 and FIR has been lodged on 17.04.202 and no plausible explanation has been given regarding the said delay. Learned counsel for the petitioner orally submits that the petitioner is a neighbour of co-accused Pramod Yadav and on account of said reason he has



falsely been implicated in this case. He orally submits that the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned A.P.P. for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner is named accused in this case and he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, there is no specific allegation against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, District-Madhubani in connection with Khutauna P.S. Case No. 48/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that if the Investigating



Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court are not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

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