

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51098 of 2025

Arising Out of PS. Case No.-202 Year-2025 Thana- AMARPUR District- Banka

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1. Mukesh Kumar @ Mukesh Yadav S/o Sochindra Yadav R/o Village-Jankipur, P.O.- Pawai, P.S.- Amarpur, Distt.- Banka.
 2. Sochindra Yadav @ Sosindra Yadav S/o Govind Yadav R/o Village-Jankipur, P.O.- Pawai, P.S.- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Sharma, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioners and the learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109(1), 303(2), 352, 351(2) and 3(5) of B.N.S.

3. As per the prosecution case, the named accused persons including the petitioners are said to have assaulted the informant and abused him. It is further alleged that the Petitioner No.1, namely, Mukesh Kumar along with one Vikas Yadav gave blows on the head of the informant.

4. Learned counsel for the petitioners submit that petitioners are innocent and have falsely been implicated in this case. He further submits that from mere perusal of the FIR, it would be



evident that there is nothing specific against the Petitioner No. 2, while there is general and omnibus allegation against the Petitioner No. 1. It is next submitted that from perusal of the injury report, which has been brought on record by way of Annexure P/3, it would appear that injury sustained by the informant is simple in nature caused by hard and blunt substance which also falsifies the allegations made in the FIR. Learned counsel lastly submits that petitioners have clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions, the petitioners, above named, are directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Amarpur P.S. Case No. 202 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in



Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 antecedent, 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.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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