

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52558 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- BARHARIA District- Siwan

1. Prabhunath Yadav S/O Late Ram Naresh Yadav Resident of Village- Paharpur, P.S.- Barharia, Dist.- Siwan
2. Kamlesh Yadav @ Kamlesh Kumar Yadav S/O Prabhunath Yadav Resident of Village- Paharpur, P.S.- Barharia, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Pandey, Advocate
For the State	:	Mr. Kanhiya Kishor, APP
For O.P. No.2	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 76, 352, 351(2) and 3(5) of the B.N.S.

3. Learned counsel appearing on behalf of the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that she along with her sister went behind the orchard on 02.02.2025 at about 06:00 p.m. when her agnates came variously armed and started abusing, on objection, Shailesh Yadav tore her clothes while



Kamlesh (petitioner no.2) assaulted her and her sister by daab causing injury on head. Further, on order of Prabhunath, all accused assaulted her mother and other sister. It is further submitted by learned counsel for the petitioners that petitioners have falsely been implicated by the informant. It is next submitted that from perusal of the allegation, as alleged in the FIR, it would manifest that informant and petitioners are relatives and dispute is relating to property. It is further submitted that even presuming what has been alleged is true without admitting then the injury is simple in nature which amply demonstrates that petitioners never had any intention of committing a serious occurrence. It is further submitted that the altercation had taken place in which both sides assaulted each other.

4. Learned A.P.P. for the State and the learned counsel for the informant opposes the prayer for anticipatory bail of the petitioners but then the learned counsel appearing on behalf of the informant is not in a position to rebut the submission on behalf of the petitioners that injury suffered by the petitioners is simple in nature.

5. Considering the submissions made by learned counsel for the petitioners, let petitioners, above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of **Rs.10,000/- (Rupees Ten Thousand)** each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Barharia P.S. Case No. 62 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Satyavrat Verma, J)

Sanjay/-

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