

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55839 of 2025

Arising Out of PS. Case No.-331 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

1. Shyam Sundari Devi W/O Kameshwar Yadav R/O Village- Saren, P.S- Makhdumpur (Tehta), Distt.- Jehanabad.
2. Krishna Kumar Son Of Kameshwar Yadav R/O Village- Saren, P.S- Makhdumpur (Tehta), Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pritish Kumar Lal, Advocate
For the Opposite Party/s	:	Mr. Ram Naresh Ray, APP
For the Informant	:	Mr. Amrendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-09-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Makhdumpur P.S. Case No. 331 of 2025 for the offence under sections 126(2), 115(2), 303(2), 109, 352, 351(2), 351(3) and 3(5) of the B.N.S. lodged on 17.05.2025 by the informant, Devilal Yadav.

3. As per the prosecution story, the informant alleged that on 17.05.2025, his uncle, Kameshwar Yadav, Krishna Kumar (petitioner no. 2), Santosh Yadav and Shyam Sundari Devi (petitioner no. 1) regarding land related matter, assaulted them. Kameshwar Yadav assaulted Himanshu and Priyanshu, the sons while Krishna Kumar gave injury on the head but it



actually hit the hand. So far as Santosh Yadav is concerned, he assaulted the father. This led to the FIR.

4. Learned counsel for the petitioners submit that so far as Shyam Sundari Devi is concerned, no role of assault has been attributed to her. Krishna Kumar is alleged to have assaulted but there is no injury report in the entire case diary and this has been recorded in paragraph no. 8 of the petition. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner no. 2, Krishna Kumar on its own would like to contribute Rs. 5,000/- towards the medical assistance through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP as also learned counsel for the informant jointly submits that all of them assaulted the informant's side on a minor issue and injuries are there on all of them.

6. Taking into account the submissions of the parties as also the fact that a categorical statement has been made that no injury report is there so far as the informant is concerned,



assault theory is not assigned to the lady, petitioner no. 1, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions subject to payment of Rs. 5,000/- by petitioner no. 2, Krishna Kumar as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court and to be handed over to the informant.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I Class, Jehanabad in connection with Makhdumpur P.S. Case No. 331 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;



(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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