

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56584 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- FATEHPUR District- Gaya

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Anil Kumar @ Anil Yadav S/O Lakhan Yadav R/O Village- Tirmah, P.S-
Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Durgesh Nandan, Advocate
For the Opposite Party/s	:	Mr.Bharat Bhushan, APP
For the informant	:	Mr. Arvind Kumar Singh, Advocate
		Mr. Ujjwal Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-11-2025 Heard Mr. Durgesh Nandan, learned counsel for the

petitioner and Mr. Arvind Kumar Singh duly assisted by Mr.

Ujjwal Kumar Singh for the informant beside Mr. Bharat

Bhushan, learned APP for the State.

2. The petitioner is in judicial custody in connection
with Fatepur P.S. Case No. 85 of 2025 for the offence
punishable under Sections 190, 191(2), 191(3), 109, 351(2),
352 of the Bhartiya Nayay Sanhita, 2023 and section 27 of the
Arms Act lodged on 08.02.2025 by the informant, Ranju Devi.

3. As per the FIR, the allegation by the lady is that
relating to the earlier case (Fatepur P.S. Case No. 70 of 2025),
the petitoiner and his brother, Sunil Yadav resorted to firing and
also threatened of dire consequences, if the case is not



withdrawn. She dialed 112, the Police came, found cartridges which followed the FIR.

4. Learned counsel for the petitioner submits that there was money transaction between the parties and only not to repay, the case. Further, though, there is criminal antecedent of the petitioner, the husband of the informant is also having criminal antecedent and at his behest, the lady has lodged the FIR. He has taken this Court this Court to the paragraph-29 of the case diary to show that Dy. S.P. who supervised the case has recorded that no one around the place heard any sound of firing. Last submission is that if granted relief, he shall be diligently appearing in trial and shall in no way have any connection with the lady/witness.

5. Learned counsel for the informant on the other hand submits that the Police have recovered cartridges from the place of occurrence.

6. To this, learned counsel for the petitioner submits that the informant managed to drop the cartridges before calling the Police and they shall be taking steps for an appropriate investigation by submitting an appropriate petition before the S.S.P., Gaya.

7. Learned APP, Mr. Bharat Bhushan has informed



that the case diary sent by the I.O. is unreadable as instead of mandatory computer typed copy, it has been recorded in his own handwriting which is completely unreadable.

8. This Court has gone through the different paragraphs of the case diary and is in conformity with the said submission. The author of the paragraphs-29, 30 and 31 of the case diary (the I.O.), Mr. Vikash Kumar, ASI, Fatepur Police Station is required to be present in the Court alongwith his show cause to submit why such kind of document is/are produced which is unreadable and why the computerized document has not been provided. Further, in the aforesaid circumstances, why appropriate steps be not taken against him.

9. So far as the case is concerned, taking into account the aforesaid facts as also the supervision note of the Dy. S.P. as recorded above and the undertaking of the petitioner that he shall in no way have any connection with the lady/witness and shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

10. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned CJM,



Gaya, in connection with Fatepur P.S. Case No. 85 of 2025 subject to the following conditions:

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

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner 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;

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

11. List this case on 08.12.2025 under the heading “To



Be Mentioned” when the I.O. of the present case, Mr. Vikash Kumar shall remain present in the Court.

12. Mr. Bharat Bhushan, learned APP shall appear in the matter and shall inform the I.O. about his presence. A show cause be also filed by the said I.O.

13. Let the name of the Mr. Bharat Bhushan, learned APP appear in the cause list.

14. Let a copy of this order be sent to the S.S.P., Gaya to see to it how unreadable case diary are still being prepared under his jurisdiction. He shall also ensure the presence of Mr. Vikash Kumar, the A.S.I. whenever the said Police official is present in the State of Bihar, if transferred from Gaya.

(Rajiv Roy, J)

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