

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58538 of 2025

Arising Out of PS. Case No.-217 Year-2025 Thana- MASAUDHI District- Patna

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1. Rani Devi W/o- Ramjivan Yadav Village- Kailuchak Ps- Masaurhi Dist- Patna
 2. Ramjivan Yadav s/o- RAmat Yadav Village- Kailuchak Ps- Masaurhi Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Deo

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioners, informant and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in connection with Masaurhi P.S. Case No. 217 of 2025 dated 11.03.2025 instituted for the offences under Sections 126(2), 115(2), 109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution story, the informant has alleged that the petitioner no. 2 was raising curved wall to which she opposed thereafter petitioner no. 2 along with Arpan Yadav assaulted her by an iron rod causing head injury and when the daughter of the informant and her husband intervened they were also assaulted.



4. Learned counsel for the petitioners submits that the petitioners' and the informant's side are agnates. There is case and counter case. It has further been submitted that the present case has been lodged concocting a story and no such incident as alleged has occurred. Lastly, it has been submitted that both the petitioners have one criminal antecedents for the offence under Section 30A of the Bihar Prohibition and Excise Act.

5. Learned counsel for the informant as well as learned APP for the State vehemently opposed the prayer for anticipatory bail of the petitioners and submits that the injury sustained by the informant's side were found to be simple in nature which has been brought on record.

6. Considering the facts aforesaid, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Masaurhi in connection with Masaurhi P.S. Case No. 217 of 2025, subject to the following conditions:-

(i) One of the bailors will be a close relative of the



petitioners;

(ii) the petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

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

(iv) the Court below shall verify the criminal antecedent of the petitioners except in Masaurhi P.S. Case No. 174 of 2024, registered for the offence under Section 30A of the Bihar Prohibition and Excise Act and, in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for the purpose of the same or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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