

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55384 of 2025

Arising Out of PS. Case No.-72 Year-2024 Thana- MAIGRA District- Gaya

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1. Gurudayal Yadav S/o Late Babui Yadav @ Vakui Yadav Resident of village-Harni Tola, Tarwadih, PS- Maigra, District- Gaya
 2. Omveer Yadav @ Omveer Kumar S/o Vijay Yadav Resident of village-Harni Tola, Tarwadih, PS- Maigra, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Adv.

For the Opposite Party/s : Mr. Madhuri Lata, App.

For the Informant : Mr. Satish Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 27-08-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Maigra Police Station Case No. 72 of 2024, disclosing offences under Sections 126(2), 115(2), 118(1), 117(2), 109, 3(5), 103 of the BNS, 2023 and Sections 25(1-B)a, 26, 27 of the Arms Act.

3. The prosecution case, in brief, is that on 31.08.2024 at about 6:15 A.M., while the informant was working in his field, he saw the petitioners along with other co-accused persons, all armed with lathi, danda and iron rod, assaulting his family members and co-villagers, causing them to fall on the spot. It is alleged that several victims, including Chanrik Yadav, Krishna Yadav, Upendra Yadav, Surendra Yadav, Mithilesh Yadav, Sanjay Yadav and Umesh Yadav, sustained



head injuries, while others suffered injuries on their hands and legs. It is further alleged that on the instigation of Raja Yadav, Lalvir Yadav and Narayan Yadav, co-accused Gaurav Yadav fired from a pistol, thereby causing firearm injury on the leg of Dwarik Yadav. When the villagers attempted to apprehend the accused, Ramroop Yadav and Naresh Yadav sustained injuries by falling on a stone, but were taken away by their associates. It is also alleged that during the course of the incident, the pistol of Gaurav Yadav fell at the place of occurrence.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have not committed any offence in the manner alleged. Altogether 19 persons have been made accused in the present case. He next submits that allegations levelled against the petitioners are general and omnibus in nature. There is no specific overt act alleged against the petitioners. A counter case has been filed from the side of the informant bearing Maigra P.S. Case No. 73 of 2024 against the informant and others. He next submits that petitioners and informant are co-villagers and due to previous enmity and admitted land dispute, they have been made accused. He further submits that similarly situated co-accused person namely Harendra Yadav has been granted anticipatory bail by a Co-



ordinate Bench of this Court in Cr. Misc. No. 37403 of 2025 vide order dated 23.06.2025.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that similarly situated co-accused person has been granted anticipatory bail by a Co-ordinate Bench of this Court, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class Sherghati, Gaya, in connection with Maigra Police Station Case No. 72 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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