

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58401 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- SALIMPUR District- Patna

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1. Kajal Kumari, female, W/o Arun Yadav @ Arjun Yadav;
 2. Arun Yadav, male, S/o Baleshwar Gop;
- Both are R/o Village- Baikathpur Sahimchak, P.S.- Khushrupur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-08-2025 Heard the learned counsel for the petitioners

and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their

arrest in connection with Salimpur P.S. Case No. 27 of

2025 registered for the offences under Sections 127(1),

115(2), 118(1), 109, 352, 351(2) and 3(5) of the

Bharatiya Nyaya Sanhita, 2023 (BNS).

3. As per the prosecution case, it is alleged

that when the informant's daughter had gone to throw



waste materials of her house, the neighbours, the named accused persons, including the petitioners intercepted her and started abusing her. Thereafter, it is alleged that the petitioners along with the other co-accused persons assaulted the mother of the informant with stone and *lathi & danda* etc., causing head injury to her. The informant was also assaulted when he tried to intervene in the matter.

4. It has been submitted on behalf of the petitioners that they are innocent and no occurrence as alleged had ever taken place and the F.I.R. was lodged afterthought with a delay of two days of the occurrence. It has further been submitted that the petitioners and the informant are agnates and there is admittedly a land dispute between them. It has lastly been submitted that the other similarly situated co-accused persons, namely, Radhika Devi and Prabha Devi, have already been granted the privilege of anticipatory bail by a Bench of this Court *vide* order dated 25.07.2025 passed in Cr.



Misc. No. 45404 of 2025. The petitioners, it has been submitted, have clean antecedent.

5. The learned APP for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Chief Judicial Magistrate, Barh, Patna in connection with Salimpur P.S. Case No. 27 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the BNSS, 2023 as well as subject to the following conditions :



(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present before the learned Court below on each and every date of the trial.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail-bonds of the petitioners will be liable to be cancelled by the concerned learned Court below.

(iv) If the petitioners, in future, are found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of their bail bonds.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that they have concealed their criminal antecedent, the Court below shall take necessary steps for cancellation of their bail-bonds. However, the acceptance of bail-bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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