

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55654 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- PAHARPUR District- East Champaran

Rambabu Yadav @ Nand Kishore Yadav S/o Late Sukdev Yadav Village-
Parsauni Bhatauli, Ward no. 03, PS- Paharpur, Distt.- Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Adv.

Ms.Versha Verma, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Paharpur P.S. Case No. 52 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 118(2), 109(1), 303(2), 352, 3(5) of Bhartiya Nyay Sanhita, 2023.

3. As per prosecution case, informant has alleged that when his elder brother and nephew were going to Kota, in the meantime, co-accused Ram BabuYadav @ Nand Kishore Yadav, Guddu Kumar and Amit Kumar intercepted them and on the order of Nand Kishore Yadav @ Ram Babu (petitioner), Guddu Kumar and Amit Kumar are said to have assaulted them



by means of knife.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated in this case. There is no specific over act against the petitioner of assaulting any of the victims, rather the allegation of assaulting is against Guddu Kumar and Amit Kumar. In the light of the aforesaid facts and circumstances of the case, no case under sections 109 and 303(2) B.N.S. is made out against the petitioner. Petitioner has no criminal antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, there is no specific over act alleged against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IX, East Champaran, Motihari



in connection with Paharpur P.S. Case No. 52 of 2025, subject to the conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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