

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59303 of 2025

Arising Out of PS. Case No.-106 Year-2025 Thana- BELAGANJ District- Gaya

- 1. Radha Devi W/O Anand Yadav R/O Maulvichak, P.S.- Belaganj, District- Gaya
- 2. Babita Yadav @ Babita Kumari W/O Pappu Kumar R/O Maulvichak, P.S.- Belaganj, District- Gaya
- 3. Anand Yadav S/O Prabhu Yadav R/O Maulvichak, P.S.- Belaganj, District- Gaya
- 4. Prabhu Yadav @ Prabhu Chand Yadav S/O Late Etwan Yadav R/O Maulvichak, P.S.- Belaganj, District- Gaya
- 5. Nitish Kumar S/O Anand Yadav R/O Maulvichak, P.S.- Belaganj, District- Gaya
- 6. Shiv Kumar Yadav @ Shiv Kumar @ Raj Kumar S/O Devavali Yadav R/O Maulvichak, P.S.- Belaganj, District- Gaya
- 7. Raj Kumar Yadav @ Shiv Kumar S/O Devavali Yadav R/O Maulvichak, P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Syed Asgher Najmi, Advocate
Mr. Ashutosh Kumar Mishra, Advocate
Mr. Achyut Kumar, Advocate
For the State : Mr. Mritunjay Kumar Nirala, APP
For the Informant : Mr. Binod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-09-2025 Heard learned counsel appearing on behalf of the
petitioners, learned APP appearing on behalf of the State and
learned counsel appearing on on behalf of the informant.

2. At the outset, learned counsel appearing on behalf
of the petitioners seeks permission to withdraw this anticipatory
bail application with regard to Petitioner No. 3, namely Anand



Yadav, as during pendency of this case, Petitioner No. 3 has already been arrested and the same has become infructuous.

3. Permission, as prayed for, is accorded.

4. Accordingly, this anticipatory bail application with regard to Petitioner No. 3 stands dismissed as withdrawn.

5. Petitioner Nos. 1, 2, 4, 5, 6 and 7 apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 109(1), 76, 303(2) and 3(5) of the B.N.S..

6. The prosecution case, in brief, is that 14.02.2025 at about 10 AM, all these accused petitioners forcibly entered into house of informant and assaulted informant and her family members. It is alleged that Petitioner Nos. 5 and 6 assaulted husband of informant with iron rod.

7. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, on account of petty dispute, simple *maar-peet* took place in which both sides sustained injuries. There is case and counter-case. Doctor has found the injuries allegedly caused by Petitioner Nos. 1, 2, 4 and 7 are simple in nature and injuries allegedly caused by Petitioner Nos. 5 and 6 are grievous in nature. Petitioners claim clean



antecedents.

8. On the other hand, learned A.P.P. for the State and learned counsel appearing on on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation that they assaulted informant and her husband. Doctor has found the injuries sustained by husband of informant to be grievous in nature.

9. Considering the facts and circumstances of the case, specific and direct nature of accusation and nature of injuries sustained by the injured, the prayer for grant of anticipatory bail to Petitioner Nos. 5 and 6 is rejected.

10. So far as Petitioner Nos. 1, 2, 4 and 7 are concerned, considering the facts and circumstances of the case, case and counter-case between the parties, nature of injuries and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to Petitioner Nos. 1, 2, 4 and 7 is allowed.

11. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 1, 2, 4 and 7 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Gaya in connection with Belaganj P.S. Case
No. 106 of 2025, subject to condition as laid down under
Section 482(2) of the B.N.S.S..

12. With the aforesaid directions, this application
stands disposed of.

(Prabhat Kumar Singh, J)

shashank/-

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