

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58487 of 2025

Arising Out of PS. Case No.-234 Year-2022 Thana- BARARI District- Katihar

1. Sunil Yadav, Son of Late Garbhi Yadav Resident of Raghunathpur Dubba Tola, P.S.- Barari, District - Katihar.
2. Manish Sharma @ Golu @ Manish Kumar Sharma, Son of Birendra Sharma Resident of Raghunathpur Dubba Tola, P.S.- Barari, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State

2. Petitioners apprehend their arrest in

connection with Barari (Semapur) P.S. Case No. 234 of

2022 registered for the offences under Sections 341,

323, 325, 307, 34 of the I.P.C.

3. As per the prosecution case, the informant

has alleged that the petitioners along with two unknown



persons came to his doorstep, and petitioner no.1/Sunil Yadav asked the informant to come outside, but when the informant did not respond, it is stated that Sunil Yadav and Manish Sharma (petitioners) along with two others, assaulted on his head with lathi, danda and they also fractured his leg.

4. Learned Senior counsel for the petitioners submit that the petitioners have falsely been implicated in this case on a false and concocted story and no such occurrence as alleged has taken place. It has been further submitted that reference to the injury has been made in the impugned order, from which it would suffice that the injuries are not grievous and most of the injuries were found on the non-vital part of the body. Learned counsel for the petitioner next submits that no serious motive has been assigned for the assault made by the petitioners, and it has been submitted that the petitioner No.2 has no criminal antecedent, while petitioner no1 has one criminal antecedent.



5. Learned APP for the State has opposed the prayer for anticipatory bail.

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 arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Barari (Semapur) P.S. Case No. 234 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. 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 in Court on each date of the trial.

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

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

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners has concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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. Accordingly, the prayer for anticipatory bail is
allowed.

(Sourendra Pandey, J)

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