

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56891 of 2025

Arising Out of PS. Case No.-372 Year-2025 Thana- MADHEPURA District- Madhepura

1. Ram Chandra Yadav son of Late Nunu Prasad Yadav Resident Of Village -Bhalwa Tola Gadhia Ward No 08 PS And District -Madhepura
2. Mukesh Kumar son of Late Krishna Kumar yadav Resident Of Village -Bhalwa Tola Gadhia Ward No 08 PS And District -Madhepura
3. Raj Nitish Kumar son of Ram Chandra yadav Resident Of Village -Bhalwa Tola Gadhia Ward No 08 PS And District -Madhepura
4. Ritu Raj Kumar son of Ram Chandra Yadav Resident Of Village -Bhalwa Tola Gadhia Ward No 08 PS And District -Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Pooja Prasad, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-08-2025 Heard Ms. Pooja Prasad, learned counsel for the
petitioners and the State.

2. The petitioners are apprehending arrest in connection with Madhepura P.S. Case No. 372 of 2025 instituted under Sections 115(2), 126(2), 109, 303(2), 3(5) of Bhartiya Nayay Sanhita, 2023 and 27 of Arms Act lodged on 21.03.2025 by the informant, Ankush Kumar.

3. As per the prosecution story, the informant alleged that while the construction was going on on the purchased land, the accused persons stormed and allegation is that the accused



persons assaulted as follows:

- (i) Jai Narayan Yadav - gave iron rod blow- on the head of the informant;*
- (ii) Kartik Yadav - gave iron rod blow- on the head of Sachindra Yadav;*
- (iii) Bhawesh Yadav – gave iron rod blow-on the head of Bijendra Yadav;*
- (iv) Naresh Yadav - gave iron rod blow - on the head of Bipin Kuamr;*
- (v) Ritu Raj Kumar – gave iron rod blow – at the waist and head – Bhaskar Kumar;*
- (vi) Bikash Kumar – gave iron rod blow – at the hand and head of Mani Kant Kumar;*
- (vii) Jay Prakash Yadav – gave iron rod blow- at the hand and leg of Raj Kumar Yadav*
- (viii) Mukesh Kumar and Guriya Devi – gave iron rod blow – at the left hand of Fulo Devi.*

4. The further allegation of taking away ornaments/cash. This led to the FIR.

5. Learned counsel for the petitioners submit that so



far as the injury part is/are concerned, only Mani Kant Kumar has been found to be grievous in nature, no other injury has been found to be grievous.

6. The submission is that so far as the assault on Bhaskar Kumar by Ritu Raj Kumar (petitioner no.4) is concerned, it has not been found to be grievous in nature, others presence has been shown but no role has been attributed save and except Mukesh Kumar who alongwith Guriya Devi assaulted Fulo Devi.

7. Last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intend to contribute Rs.5000/- each (totalling Rs. 20,000/-) through Demand Draft issued by the local State Bank of India branch to be submitted before the concerned Court to be handed over to the injureds/informant.

8. Mr. Aditya Narayan Singh.1represents the State and according to him, the injury given by Bikash Kumar to Mani Kant Kumar has been found to be grievous in nature, the role of assault is also on the other accused persons including the Ritu Raj Kumar.

9. Considering the submissions of the parties as also that the main allegation is against Bikash Kumar of giving



grievous injury to Mani Kant Kumar though Ritu Raj Kumar has assaulted to Bhaskar Kumar, according to learned counsel for the petitioners the same has been not been found to be grievous in nature, others have limited role, none have criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs. 5000/- each (totalling Rs. 20,000/-) through Demand Draft issued by the local State Bank of India branch to be submitted before the concerned Court to be handed over to the injureds/informant.

10. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Madhepura P.S. Case No. 372 of 2025 to the satisfaction of learned C.J.M., Madhepura subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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