

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56948 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- Bankebazar District- Gaya

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1. Bigu Yadav @ Vigyan Yadav S/o Balu Yadav R/o Village - Panniya, P.S - Banke Bazar, District - Gaya
 2. Karu Yadav @ Vikash Yadav @ Vikash Kumar S/o Bigu Yadav @ Vigyan Yadav R/o Village - Panniya, P.S - Banke Bazar, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Banke Bazar P.S. Case No. 52 of 2025 for the offence registered under Sections 126(2), 115(2), 109, 352, 351(2), 3(5) of the BNS, 2023 lodged on 24.04.2025 by the informant Umesh Kumar Mathuri.

3. As per the prosecution story, the informant alleged that on minor altercation, the allegation is that the petitioner no. 1, Bigu Yadav gave iron rod blow on his head causing injury and petitioner no. 2 Karu Yadav and one, Subhash Yadav is/are being present at the spot along with petitioner no. 1, Bigu



Yadav. This led to the FIR.

4. Learned counsel for the petitioners has taken this Court to the learned Sessions Judge order to show that the injury inflicted by petitioner no. 1, Bigu Yadav has been found to be simple in nature, both the petitioners have clean antecedent and the last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner no. 1, Bigu Yadav on its own would like to contribute towards the medical assistance of Rs. 5,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the injured after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that petitioner no. 1, Bigu Yadav assaulted on the head of the informant.

6. Considering the submissions of the parties as also the fact that injury has been found to be simple in nature, both petitioners have clean antecedent, in that background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 5,000/- to the injured person through



Demand Draft issued by the local branch of the State Bank of India to be submitted to the Trial Court.

7. Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sherghati, District-Gaya in connection with Banke Bazar P.S. Case No. 52 of 2025, subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show is *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 appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) 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;

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

(Rajiv Roy, J)

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