

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60160 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- NIMCHAKBATHANI District- Gaya

1. Raushan Kumar S/O Nagina Yadav R/O Village- Bahorma, P.S- Neemchak Bathani, Distt.- Gaya.
2. Lala @ Lala Yadav @ Niraj Kumar S/O Lalu Prasad @ Niraj Kumar R/O Village- Bahorma, P.S- Neemchak Bathani, Distt.- Gaya.
3. Faresh Kumar S/O Sunil Yadav R/O Village- Bahorma, P.S- Neemchak Bathani, Distt.- Gaya.
4. Awadhesh Yadav S/O Sita Yadav R/O Village- Bahorma, P.S- Neemchak Bathani, Distt.- Gaya.
5. Shravan Yadav S/O Late Binda Yadav R/O Village- Bahorma, P.S- Neemchak Bathani, Distt.- Gaya.
6. Arjun Yadav S/O Late Prashadi Yadav R/O Village- Bahorma, P.S- Neemchak Bathani, Distt.- Gaya.
7. Lalu Prasad @ Niraj Kumar @ Lalu Yadav S/O Ramdular Yadav @ Lalu Yadav R/O Village- Bahorma, P.S- Neemchak Bathani, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-09-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109(2), 303(2), 352, 351(2)(3) and 3(5) of the BNS.

3. Learned counsel for the petitioners submits that petitioners no. 1 and 3 have antecedent of one case, petitioner no. 2 is a person with clean antecedent, petitioner no. 4 has



antecedent of six cases, petitioner no. 5 has antecedent of five cases and petitioners no. 6 and 7 have antecedent of three cases and the informant alleges that on 01.03.2025 eight named accused persons including the petitioners along with 10-15 unknown accused came and started assaulting him. Further, when his brother Arvind Kumar and Vijay Kumar along with his wife came to save him, the accused assaulted them also causing injury on head of both his brother and snatched chain and Mangalsutra of his wife.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from the side of the petitioners Neemchak Bathani P.S. Case No. 47 of 2025 has been instituted against the informant and his side. It is next submitted that petitioners and the informant are co-villagers and are having dispute from before on account of which an altercation took place in which both sides assaulted each other. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against any of the accused persons. It is submitted that even presuming what has been alleged is true without admitting then the injury suffered by Arvind Kumar and



Vijay Kumar has been opined to be simple in nature which amply demonstrates that the petitioners never had any intention of committing a serious occurrence. It is further submitted that from the side of the petitioners also injured have suffered injury.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that though there is no specific allegation of assault against the petitioners but then petitioners have criminal antecedent and if the privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond on which learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Neemchak Bathani P.S. Case No. 46 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.



7. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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