

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61119 of 2025

Arising Out of PS. Case No.-769 Year-2024 Thana- JAMUI District- Jamui

- =====
1. Ajay Kumar Yadav, male, Son of Baijnath Yadav;
 2. Rajesh Kumar Yadav, male, Son of Baijnath Yadav;
- Both are resident of village - Bhachhiyar, P.S.- Jamui, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 12-09-2025 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Jamui P.S. Case No. 769 of 2024 registered for the offences under Sections 126(2), 115(2), 109, 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant has alleged that all the named accused persons including the petitioners came to the house of the informant and the petitioner



No. 1 assaulted him on his head by the *butt* of his gun, whereas, the petitioner No. 2 assaulted him on his head. When the informant's wife came to his rescue, the other accused persons also assaulted her.

4. The learned counsel for the petitioners submits that they have falsely been implicated in this case and no such occurrence as alleged has ever taken place. It has been submitted that the allegation is of assault by both the petitioners. However, from the perusal of the injury report, which has been brought on record by way of Annexure-2, it is evident that there is a single injury on the head of the informant and that too has been found to be simple in nature. It has lastly been submitted that the petitioners have clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

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 their arrest or surrender before the learned Court below within a period of four weeks from today, on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees 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 Jamui P.S. Case No. 769 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (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 before the learned Court below on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail-bonds of the petitioners will be liable to be cancelled by the concerned learned Court below.

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

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that they have concealed their criminal antecedent, the Court below shall take necessary steps for cancellation of their bail-bonds. 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. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.
8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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