

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63795 of 2025

Arising Out of PS. Case No.-345 Year-2024 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Munna Yadav @ Munna Kumar S/o Mahdndra Yadav @ Mahendra Yadav
R/o Village- Belahi, P.S.- Magadh Medical, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Magadh Medical P.S. Case No. 345 of 2024 registered for the offences punishable under Sections 115(2), 109, 308(5), 132, 3(5) of B.N.S., 2023.

3. As per prosecution case, informant got information that some boys are extorting money in front of Ganga Palace in village Belahi. Thereafter, informant alongwith police officials reached at the place of occurrence. After seeing the police, boys started fleeing away. However, on chase, one of them, co-accused, namely, Chhotu Kumar got apprehended and he disclosed the name of the petitioner who fled away from the



place of occurrence. It is alleged that 5-6 more persons came from the Belahi village and during scuffle with the armed forces, they took the co-accused Chhotu Kumar down from the police van and tried to snatch weapon from the armed forces. In the meanwhile, co-accused Chhotu Kumar assaulted the Amresh Kumar by means of bamboo as a result of which he sustained injury on his shoulder. It is further alleged that while assaulting Hawaldar Chandrakishor by means of fists, all persons released the apprehended co-accused Chhotu Kumar from the clutches of police and succeeded in fleeing away towards village Belahi by taking advantage of the darkness.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that there is no specific allegation of assault against the petitioner. He further submits that name of the petitioner has been disclosed by the apprehended co-accused Chhotu Kumar. Except disclosure of the said co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. He further submits that petitioner was not found at the place of occurrence. No incriminating article has been recovered from the conscious



possession of the petitioner. He further submits that this is a case of no injury and no injury report is available on record. Petitioner bears no criminal antecedent. It has been orally submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-V, Gaya in connection with Magadh Medical P.S. Case No. 345 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

7. The application stands allowed.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving



assurance to this Court is not co-operating in the investigation,
in that event, the learned trial court shall be at liberty to cancel
the bail bond of the petitioner.

(Alok Kumar Pandey, J)

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