

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61606 of 2025

Arising Out of PS. Case No.-268 Year-2025 Thana- DEEPNAGAR District- Nalanda

1. Rakesh Yadav Ram Baran Yadav @ Ram Baran Prasad R/o Village - Korai, P.S. - Deepnagar, District - Nalanda.
2. Nitish Yadav @ Nitish Kumar Son of Ram Baran Yadav @ Ram Baran Prasad R/o Village - Korai, P.S. - Deepnagar, District - Nalanda.
3. Deepak Yadav Son of Naresh Yadav R/o Village - Korai, P.S. - Deepnagar, District - Nalanda.
4. Dharmendra Yadav S/o Naresh Yadav R/o Village - Korai, P.S. - Deepnagar, District - Nalanda.
5. Shankar Yadav @ Prabhat Shankar Kumar Son of Naresh Yadav R/o Village - Korai, P.S. - Deepnagar, District - Nalanda.
6. Shambhu Yadav Son of Late Umesh Yadav R/o Village - Korai, P.S. - Deepnagar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-09-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Deepnagar P.S. Case No. 268 of 2025 for the offence registered under sections 191(2), 191(3), 190, 115(2), 126(2), 109(1), 132, 352 of B.N.S. and Section 27 of the Arms Act lodged on 25.06.2025 by the informant, Ravindra Kumar.

3. As per the prosecution story, the informant alleged that while on patrolling, they came to know about the firing/cross firing between the rival parties as also stone



pelting and as the police reached, the accused managed to escape, the 'chowkidar' gave the name of the accused persons which followed the FIR.

4. Learned Counsel for the petitioners submit that only because of criminal antecedent, they have been implicated, 'chowkidar' is inimical to them, all the cases are with the same party with whom the alleged firing has been attributed. The last submission is that without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioner submit that they are ready to pay Rs. 5,000/- each (totaling Rs. 30,000/-) to the Chief Minister's Relief Fund.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the 'chowkidar' gave the name which followed the FIR and they have criminal antecedent.

6. Considering the submissions of the parties as also the fact that the allegation is of firing/cross firing in the dark night, the 'chowkidar' has named them, an undertaking has been given that they shall be diligently appearing in trial, in that background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs.



5,000/- each (totaling Rs. 30,000/-) to the Chief Minister's Relief Fund through Demand Draft and the receipt be submitted to the learned 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 Chief Judicial Magistrate, Nalanda, at Bihar Sharif in connection with Deepnagar P.S. Case No. 268 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 his *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 his 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)

Raj Ranjan/-

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