

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62691 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- TELHARA District- Nalanda

=====

Dayanand Yadav S/o Shiv Narayan Yadav Resident of Village - Dharam Bigaha, P.S. - Telhara, District – Nalanda	 Petitioner/s
Versus	
The State of Bihar	 Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash
For the Opposite Party/s : Mr. Nagendra Prasad

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 191(2), 190, 126(2), 115(2), 117(2), 109(1), 303(2), 351(2), 351(3), 352 of the B.N.S.

3. The allegation in the first information report is that a verbal altercation between the accused persons and the informant escalated into a physical fight whereafter the accused persons are said to have assaulted the informant and his family members causing serious injuries to them.

4. Learned counsel for the petitioner submits that it would be evident from a perusal of the First Information Report itself that both the parties had got engaged in a verbal altercation whereafter the incident of assault took place and there are specific allegations of assault upon co-accused persons Niraj Yadav, Sahjanand Yadav and Shiv Narayan Yadav of



assault upon the informant and other family members. So far as the present petitioner is concerned, his name features in the second part of the FIR attributing allegations of indiscriminate assault by lathi upon Sanjay Yadav who is the other son of the informant. It is further submitted that the petitioner and the informant side are gotiyas and also next door neighbours who had dispute between them and so far as the injury of Sanjay Yadav is concerned, he did not suffer any injury and the same would also be evident from the bail rejection order which details the injuries suffered by other accused persons.

5. Learned APP for the State has opposed the application for anticipatory bail on the ground that the serious injuries have been caused to the injured persons and the petitioner also has criminal antecedents of four cases. It is however, submitted that the petitioner is on bail in four cases.

6. Taking into consideration the facts and circumstances and also considering that the petitioner and the informant side are gotiyas having dispute between them and also considering that as against the allegation upon the present petitioner, no injury report of the injured Sanjay Yadav is on record coupled with the fact that the FIR has also been lodged after a delay of two days, let the above named petitioner in the



event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) 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 Telhara P.S. Case No. 89 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further conditions:

(i) One of the bailors will be a family member/close relative.

(ii) The petitioner would appear before the Investigating Officer as and when required.

(iii) The court below shall verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously preferably within a period of two weeks without causing any delay.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

