

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65633 of 2025

Arising Out of PS. Case No.-148 Year-2025 Thana- SARMERA District- Nalanda

1. Bipin Kumar Yadav@Vipin Yadav@Bhagat Yadav S/o- Akhilesh Yadav @ Alakh Yadav Village- Pitaunjiya Ps- Bhadaur Dist- Patna
2. Dheeraj Yadav @ Dheeraj Kumar S/o- Bhagirath Yadav Village- Pitaunjiya Ps- Bhadaur Dist- Patna
3. Nattu Yadav @ Okil Kumar S/o- Tarun Yadav Village- Pitaunjiya Ps- Bhadaur Dist- Patna
4. Jeetu Yadav S/o- Tarun Yadav Village- Pitaunjiya Ps- Bhadaur Dist- Patna
5. Balli @ Valli Yadav S/o- Alakh Yadav @ Akhilesh Yadav Village- Pitaunjiya Ps- Bhadaur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh, Adv
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioners, and the
learned APP for the State.

2. Petitioners apprehend their arrest in connection with Sarmera P.S.Case No. 148 of 2025 registered for the offences punishable under Sections 190,191(2), 126(2), 109(1), 351(2) and 115 (2) of BNS.

3. As per the prosecution case, the informant has alleged that five named accused persons along with 15 to 20 unknown persons, all armed with *lathi*, *danda* and pistol abused him and with an intention to kill started assaulting him on head



causing him head injury and when Manoj Mahto came to pacify the matter, the accused persons fired upon them and fled away.

4. Learned counsel for the petitioners submit that the petitioners had falsely been implicated and no such occurrence as alleged has occurred. It has further been submitted that the allegation of assault made in the FIR and from perusal of the injury report which has been brought on record by way of Annexure P-2, it would be evident that the wounds which were found on the temporal region of the informant was incised wound, which were simple in nature. It is further submitted that though the FIR was lodged on 16.06.2025 and the same was received in court on 21.06.2025, which shows that the case is false and concocted case against the petitioners. It has lastly been submitted that petitioner nos. 1 to 4 have clean antecedent while petitioner no. 5 has one criminal antecedent of the year 2004 in which he has been acquitted.

5. Learned APP for the State vehemently opposes the anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks



from today, on furnishing bail bonds of Rs.10,000/-(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 Sarmera P.S. Case No. 148 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of 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 in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
- (iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have



concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. 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.

10. Accordingly, the present application stands allowed.

(Sourendra Pandey, J)

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