

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66650 of 2025

Arising Out of PS. Case No.-72 Year-2024 Thana- MAIGRA District- Gaya

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Arun Yadav S/o Babuyee Yadav Resident of Village- Harni Tola Tarwadeeh,
P.S.- Maigra, District- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Jubair Ansari, Adv.
For the Opposite Party/s : Mr. M. K. Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-09-2025 Heard Mr. Md. Jubair Ansari, learned Advocate for

the petitioner and Mr. M. K. Nirala, learned Additional Public

Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Maigra P.S. Case No. 72 of 2024, registered for the
offences punishable under Sections 126(2), 115(2), 118(1),
117(2), 109, 3(5) of the BNS, 2023 and Sections 25(1-B)(a), 26
and 27 of the Arms Act.

3. Allegedly 20 accused persons, including the
petitioner, variously armed came at the farm of the informant
and thereafter brutally assaulted the brothers and uncles of the
informant due to which they sustained severe injury. In the said
occurrence, several persons have sustained serious injury and
subsequently one Krishna Kumar @ Krishna Kumar Yadav died



and as such later on section 103 of the BNS, 2023 was added.

4. Learned Advocate for the petitioner submitted that save and except the petitioner is said to be a member of the mob, there is no allegation against the petitioner that he has any how specifically caused injury to any of the injured. He further submitted that in fact on account of the land dispute both the parties have entered into a free-fight leading to injuries to persons of both the sides. Taking note of the aforesaid facts, others have been allowed the privilege of anticipatory bail in Cr. Misc. 31517 of 2025 vide order dated 16.05.2025; further in Cr. Misc. No. 37403 of 2025 and in Cr. Misc. No. 42275 of 2025, copies of orders have been placed on record. It is lastly contended that the petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that because of the assault being made by all the co-accused persons, one of the person succumbed to injury and the petitioner also actively participated in the crime.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note



of the omnibus nature of allegation, coupled with the fact that other co-accused persons have been allowed the privilege of anticipatory bail by the co-ordinate Bench of this Court and the case of the petitioner is also based on parity, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sherghati, Gaya in connection with Maigra P.S. Case No. 72 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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