

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64739 of 2025

Arising Out of PS. Case No.-242 Year-2025 Thana- JHAJHA District- Jamui

1. Antu Yadav S/o- Late Masharu Yadav Village- Baijala Ps- Jhajha Dist- Jamui
2. Sachin Kumar @ Sachin Yadav S/o- Antu Yadav Village- Baijala Ps- Jhajha Dist- Jamui

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Akash Raj, Adv.
For the State	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Jhajha P.S. Case No. 242 of 2025 registered for the offences punishable under Sections 115(2), 126(2), 333, 109, 352 of BNS.

3. As per prosecution case, petitioners and other were allowing to discharge dirty water in front of informant's house and when same was protested, petitioners armed with tangi and lathi started abusing the informant and his family members. It is alleged that petitioner no. 1 assaulted the informant's father by means of lathi as a result of which informant's father fell down



on the ground. It is further alleged that petitioner no. 2 assaulted the informant upon his head by means of tangi as a result of which informant sustained head injury. When the informant's elder son/ Siman Yadav came to rescue, he was also assaulted by the petitioners.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. He further submits that there is one day delay in lodging the FIR as the alleged occurrence took place on 21.05.2025 and FIR was lodged on 22.05.2025 and no plausible explanation has been given regarding the said delay which questions the authenticity of the FIR. He further submits that though there is specific allegation against the petitioners but all the injuries of injured are simple in nature caused by hard and blunt substance and the FIR is quite evident that dispute arose on account of flowing of dirty water and there was no intention to kill informant or any other person. Hence, Section 109 of the IPC is not made out against the petitioners. Petitioners bear no criminal antecedent. It has been orally submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.



5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that there is specific allegation of assault against the petitioners and the same is supported by the injury report and hence, petitioners do not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioners, injuries sustained by the injured are simple in nature, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 242 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

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 petitioners 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 bonds of the petitioners.

(Alok Kumar Pandey, J)

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