

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66992 of 2025

Arising Out of PS. Case No.-424 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Gaurab Kumar @ Gaurav Kumar S/o Shatrughan Prasad Yadav R/o village - Vanshgopal, Ward no.- 01, P.S - Puraini, District - Madhepura
 2. Bittu Kumar @ Shashi Shekhar Sudhansu S/o Shatrughan Prasad Yadav R/o village - Vanshgopal, Ward no.- 01, P.S - Puraini, District - Madhepura
 3. Raj Kishore Yadav S/o Late Chandradev Yadav R/o village - Vanshgopal, Ward no.- 01, P.S - Puraini, District - Madhepura
 4. Manish Kumar S/o Raj Kishore Yadav R/o village - Vanshgopal, Ward no.- 01, P.S - Puraini, District - Madhepura
 5. Shivam Raj @ Shivam Kumar S/o Nandan yadav R/o village - Vanshgopal, Ward no.- 01, P.S - Puraini, District - Madhepura
 6. Nandan Yadav S/o Late Chandradev Yadav R/o village - Vanshgopal, Ward no.- 01, P.S - Puraini, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-09-2025 Heard Mr. Swapnil Kumar Singh, learned counsel for
the petitioner and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Udakishunganj P.S. Case No. 424 of 2022 for the offence under Sections 341, 323, 354A, 384, 379, 448, 504, 506/34 of the IPC lodged on 04.12.2022 by the informant.

3. The prosecution story as per FIR is that the accused-petitioners variously armed came at the door of informant on



04.12.2022 and started abusing and assaulting with fists and slaps. When her husband Mahendra Yadav and her family members came to rescue, they were also assaulted by the accused-petitioners. Petitioners Manish Kumar and Shivam Kumar assaulted the informant's grandson Amarjeet Kumar causing fracture injury his hand. There is also allegation of taking out a cash of Rs. 50,000/- by breaking the lock of the box of informant by petitioner, Bittu Kumar and Rajkishore Yadav and a gold chain from the neck of informant by petitioner Nandan Yadav. There is also allegation of demand of ransom Rs. 2,00,000/- by petitioner Gaurav Kumar Accordingly, the FIR.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to land dispute between the parties and they have not committed any offence as alleged in the FIR. There is general and omnibus allegations against the petitioners and there is case and counter case between the parties and prior to the present case the petitioner's side has lodged a case against the informant's side bearing Udakishunganj PS Case No. 423 of 2022. It has further been submitted that nothing specific is alleged against any of the petitioners and both the parties have entered into a compromise which would be evident from Annexure-3 to the present petition.

5. On the other hand, learned APP opposes the prayer



for anticipatory bail of the petitioners.

6. Regard being had to the aforesaid submissions of the parties and the fact that there is a case and counter case between the parties, a compromise petition is also there, allegations against the petitioners are in general terms and there is a land dispute between them, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail, in the event of arrest or surrender within a period of four weeks, from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.C.J.M-1, Udakishunganj, Madhepura in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her 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 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

(iv) the petitioners shall desist



from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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