

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64302 of 2025

Arising Out of PS. Case No.-417 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

1. Mohi Yadav S/O Sri Ram Jatan Yadav Resident of Village- Tulsipur, P.O. and P.S.- Makhdumpur, District- Jehanabad
2. Kamlesh Yadav S/O Sri Ram Jatan Yadav Resident of Village- Tulsipur, P.O. and P.S.- Makhdumpur, District- Jehanabad
3. Bindu Yadav S/O Sri Ram Jatan Yadav Resident of Village- Tulsipur, P.O. and P.S.- Makhdumpur, District- Jehanabad
4. Birjani Yadav @ Bijay Yadav S/O Sri Ram Jatan Yadav Resident of Village- Tulsipur, P.O. and P.S.- Makhdumpur, District- Jehanabad
5. Bitu Kumar S/O Sri Kamlesh Yadav Resident of Village- Tulsipur, P.O. and P.S.- Makhdumpur, District- Jehanabad
6. Ravi Kumar @ Ravi Ranjan Kumar S/O Sri Mohi Yadav Resident of Village- Tulsipur, P.O. and P.S.- Makhdumpur, District- Jehanabad
7. Rocky Kumar S/O Sri Mohi Yadav Resident of Village- Tulsipur, P.O. and P.S.- Makhdumpur, District- Jehanabad
8. Prince Kumar S/O Sri Bindu Yadav Resident of Village- Tulsipur, P.O. and P.S.- Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-09-2025 **1.** Heard learned counsel for the petitioners and learned A.P.P. for the State, Shri Rabindra Kumar.
- 2.** The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 303(2) of the Bharatiya Nyaya Sanhita.
- 3.** The learned counsel appearing on behalf of the



petitioners submits that a supplementary affidavit has been filed, wherein it has been pleaded that petitioner Nos. 1, 2 and 4 have antecedent of one case and rest of the petitioners are person with clean antecedent and the informant alleges that on 19-6-2025, an altercation took place on account of dispute relating to passage and Rocky assaulted the informant by *Garasa* causing injury on head and other accused assaulted his son causing injury on head and Rocky snatched chain of his son.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to passage, an altercation took place in which both sides assaulted each other. It is further submitted that petitioners approached police station for instituting an FIR, but then the same was not registered, as such from the side of the petitioners Complaint Case No. 347 of 2025 has been instituted in the court of learned CJM, Jehanabad. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that allegation of assault is general and omnibus in nature except for Rocky Yadav against whom it is alleged that he assaulted the informant by *Garasa* causing injury on the head, but then it is submitted that the blow was not repeated and Rocky Yadav, who is petitioner No. 7, is a young boy aged about 20 years and is not a criminal. It is further submitted



that from perusal of the injury report of the injured annexed as Annexure-3 series, it would manifest that the injuries have been opined to be simple in nature. It is also submitted that if Rocky Yadav is sent to judicial custody, in that event, chances are bright that he may come in contact with hardened criminals and his entire career would get jeopardized.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, 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 the learned trial court where the case is pending/successor court in connection with Makhdumpur P.S. Case No. 417 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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