

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64575 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- Badem P.S. District- Aurangabad

1. Ramashray Yadav S/O Matuka Yadav R/O Village- Rahra, P.S.- Badem, Dist.- Aurangabad
2. Suresh Yadav S/O Matuka Yadav R/O Village- Rahra, P.S.- Badem, Dist.- Aurangabad
3. Rajesh Yadav S/O Matuka Yadav R/O Village- Rahra, P.S.- Badem, Dist.- Aurangabad
4. Rajendra Yadav @ Rajindra Yadav S/O Matuka Yadav R/O Village- Rahra, P.S.- Badem, Dist.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Badem P.S. Case No. 42 of 2025, G.R. No. 1828 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 109(1) and 352 of the B.N.S.

3. As per prosecution case, petitioners and other are said to have assaulted informant and his brothers.

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. There is a case and counter case between both the parties on the same date of occurrence. The wife of petitioner no. 1 namely, *Rajmuni*, Devi has lodged Badem P.S. Case No. 41 of 2025 (Annexure-P/2) against seven accused persons including the informant which is prior to the present FIR. It is further submitted that informant's brother drove a tractor over the petitioners' married sister due to which she sustained serious injury and later on she died during the course of treatment on the same day. There is no specific allegation against any of the petitioners to assault informant and his family members. Allegations against the petitioners are general and omnibus in nature. Learned counsel submits that three persons became injured at the time of occurrence in which informant sustained grievous injury and other persons sustained simple injury. From the perusal of the injury report, it appears that grievous injury of the informant is not found on the vital part of the body. Apart from that, petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that petitioners are FIR named accused persons and they cannot escape from the allegation as alleged in the FIR.



6. Considering the facts and circumstances of the case, there is no specific allegation against any of the petitioners, keeping in view clean antecedent of petitioners, 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 bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M-I, Aurangabad in connection with Badem P.S. Case No. 42 of 2025, G.R. No. 1828 of 2025 subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

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