

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66155 of 2025

Arising Out of PS. Case No.-242 Year-2024 Thana- GHOSI District- Jehanabad

1. Shailesh Yadav @ Munna Yadav @ Shailesh Kumar S/o Rajnandan Yadav R/o Village - Chunupur (Chunukpur), Bandhuganj, P.S - Ghoshi, District - Jehanabad
2. Bhura Yadav S/o Rajnandan Yadav R/o Village - Chunupur (Chunukpur), Bandhuganj, P.S - Ghoshi, District - Jehanabad
3. Shikander Yadav @ Shikander Kumar S/o Jageshwar Yadav R/o Village - Chunupur (Chunukpur), Bandhuganj, P.S - Ghoshi, District - Jehanabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. S.K. Lal, Sr. Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-09-2025 Heard Mr. S.K. Lal, learned senior counsel for the
petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Ghoshi P.S. Case No. 242 of 2024, dated 15.05.2024, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 448, 379, 354 and 509 of the Indian Penal Code, under Section 27 of the Arms Act and under Sections 3 and 4 of the Bihar Dayan Act.

3. As per the prosecution case, the allegation in the FIR is that as many as 21 accused persons came variously armed to the house of the informant and indulged in abuses and



assault upon the informant, his father and his brother, causing injuries.

4. Learned senior counsel for the petitioners at the outset submits that the present FIR has been lodged after an inordinate and unexplained delay of about a month in as much as the alleged occurrence took place on 11.04.2024 while the FIR was registered on 15.05.2024. He further submits that on account of the same incident, a case has been filed from the petitioners' side under Section 302 of the IPC for the murder of Rahesh Yadav, the uncle of the petitioners, which was lodged on the same day, i.e., on 11.04.2024. It is thus submitted that the present case is nothing but a counter blast of the case filed on behalf of the petitioners in order to save their skin. It is further submitted that so far as petitioner nos. 1 and 2 are concerned, there is no allegation of any overt act, however, petitioner no. 3 has been attributed an act of assault, but there is no injury report on record to substantiate the same and it would be evident from the order of the learned Sessions judge that the injury report of the informant is still awaited.

5. Learned Additional Public Prosecutor for the State on the other hand vehemently opposes the prayer for grant of anticipatory bail to the petitioners.



6. Taking into consideration the facts and circumstances of the case and further considering the fact that there is case and counter case between the parties and the case of the petitioners was lodged earlier in point of time, whereas, the case lodged by the present informant suffers from an inordinate delay and the injury suffered by the informant is not on record, let the petitioners, above-named, in the event of their arrest or surrender before the Court concerned within a period of four weeks, be released on anticipatory bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with **Ghoshi P.S. Case No. 242 of 2024**, subject to the conditions laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the BNSS.

(Soni Shrivastava, J)

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