

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66463 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- SONEBARSA District- Buxar

Motilal Yadav S/o- Late Vishvnath Yadav Resident of village- Ramnagar
Ujjagir Tola PS- Sonbarsha District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Sonebarsa P.S. Case No. 57 of 2025 for the offence under sections 126(2), 115(2), 118(1), 117(2), 109(1), 303(2), 352, 351(2) and 3(5) of the BNS lodged on 27.06.2025 by the informant, Anil Kumar.

3. As per the prosecution story, the informant alleged that while he was going towards the dairy, Manish Yadav, Anish Yadav, Santosh Yadav and Mantosh Yadav assaulted him and took away gold chain. He anyhow managed to escape and went to Sonebarsa alongwith the uncle. Later, with unlawful assembly, the accused persons attacked him in the house and allegation is that this petitioner gave iron rod blow on the head of Ganesh Yadav while Munendra Yadav broke his hand.



Further, Rajesh Yadav, Pintu Yadav and Hareram Yadav also assaulted him. Mantosh Yadav assaulted Ravindra Yadav on the head whereafter, they also misbehaved with the female inmates. This led to the FIR.

4. Learned counsel for the petitioner submits that assault and fracture to the hand is attributed to Munendra Yadav and so far as alleged assault on the head by this petitioner is concerned, a perusal of the learned Sessions Judge order would show that the same has been found to be simple in nature, they are agnates and exaggerated FIR is lodged every time which reflects from paragraph 3. The last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner on its own would like to contribute Rs. 10,000/- towards the medical assistance of the injured (Ganesh Yadav) through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the injured after checking the credentials.

5. Learned APP opposes the prayer submitting that though hand fracture is attributed to Munendra Yadav, this petitioner also assaulted to injured Ganesh Yadav causing injury



to the head.

6. Taking into account the submissions of the parties as also that injury has been found to be simple in nature, allegation of fracture of hand is attributed to Munendra Yadav, an undertaking has been given that he shall be diligently appearing in trial and further, under no circumstance, he shall be indulging himself in any kind of criminal activity, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court to be handed over to the injured.

7. Let the petitioner 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) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Sonebarsa P.S. Case No. 57 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner 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 petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner 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 bonds;

(v) the petitioner 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.

(Rajiv Roy, J)

Adnan/-

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