

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65875 of 2025

Arising Out of PS. Case No.-307 Year-2024 Thana- PARAIYA District- Gaya

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1. Mahant Yadav @ Raj Kishore Yadav, aged about 45 years, Male, S/o Sadhu Sharan Yadav @ Sadhu Yadav,
 2. Ranjan Kumar, aged about 22 years, Male, S/o Sadhu Sharan Yadav @ Sadhu Yadav,
Both resident of village- Khaira, P.S.- Paraiya, Distt.- Gayaji
- Petitioner/s

Versus

1. The State of Bihar,
 2. Anshu Kumari, D/o Mukesh Paswan, R/o village- Khaira, P.S.- Paraiya, Distt.- Gaya ji
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with Paraiya PS Case No.307 of 2024 dated 10.09.2024, instituted under Sections 191(2), 190, 126(2), 115(2), 74, 75, 303(2), 324(4), 352, 351(2) of the *Bharatiya Nyaya Sanhita*, 2023, Sections 3(1)(a), 3(1) (r)(s)(w), 3(2)(va) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and Section 8 of the Prevention of Children from Sexual Offences Act.

3. The prosecution case, in brief, is that prior to the alleged date of occurrence the informant was returning home



from Coaching. On the way, she was misbehaved by Ritik Roshan, Ranjan Kumar and Ranjit Kumar. However, on seeing the nearby people, they ran away from the place of occurrence. When the family members of the informant went to their house, all the aforesaid persons tendered apology and the matter was pacified. On the alleged date of occurrence, the brother of the informant and his friends had gone outside to attend the natural call, in the meanwhile, the petitioners along with other FIR named accused persons and ten unknown persons came there and assaulted them by means of *lathi*, *Danda*, country-made pistol. The accused persons also entered into the house of the informant and assaulted family members.

4. Learned counsel for the petitioners submits that there is case and counter case between the parties. Counter case i.e., Paraiya PS Case No.316 of 2024 has been lodged by the petitioner no.1 against the informant and his family members. Further submission is that allegation against the petitioners in the first part of the occurrence dated 05.09.2024 is that the petitioner no.2 along with others had caught the hand of the informant, whereas, in the second part of the occurrence i.e., 09.09.2024, twenty-two named accused persons including the petitioners and ten unknown persons assaulted the family



members of the informant. There is no allegation of specific assault against the petitioners. There is general and omnibus allegation against the petitioners. Counter case has been lodged under Section 109 and other Sections of the *Bharatiya Nyaya Sanhita*, 2023. There is dispute between the parties from before. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, POCSO cum Additional Sessions Judge-VII, Gayaji, in Paraiya PS Case No.307 of 2024, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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