

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68198 of 2025

Arising Out of PS. Case No.-116 Year-2020 Thana- SHANKARPUR District- Madhepura

1. Rajo Yadav S/o Nunulal Yadav R/o Village- Kawayahi, Ward No.- 12, P.S.- Shankarpur, Dist.- Madhepura
2. Sunil Yadav @ Sunil Kumar S/O Palat Yadav R/o Village- Kawayahi, Ward No.- 12, P.S.- Shankarpur, Dist.- Madhepura
3. Lalan Yadav @ Lalan Kumar S/O Late Durgi Yadav R/o Village- Kawayahi, Ward No.- 12, P.S.- Shankarpur, Dist.- Madhepura
4. Manish Yadav @ Manish Kumar S/O Late Durgi Yadav R/o Village- Kawayahi, Ward No.- 12, P.S.- Shankarpur, Dist.- Madhepura
5. Nunulal Yadav S/O Lat Babuji Yadav R/o Village- Kawayahi, Ward No.- 12, P.S.- Shankarpur, Dist.- Madhepura
6. Kanchan Devi W/O Akhlesh Yadav @ Aklesh Yadav R/o Village- Kawayahi, Ward No.- 12, P.S.- Shankarpur, Dist.- Madhepura
7. Savitri Devi W/O Nunulal Yadav R/o Village- Kawayahi, Ward No.- 12, P.S.- Shankarpur, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akshansh Shanker, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-10-2025 Heard Mr. Akshansh Shanker, learned counsel

 appearing on behalf of the petitioners and Mr. Mohammad

 Sufyan, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection
with Shankarpur P.S. Case No. 116 of 2020 registered under
Sections 341, 323, 308, 354(B), 379, 504, 506, 34, of the Indian Penal
Code.



3. As per the allegation made in the FIR, all the accused persons with common intention to kill assaulted the informant and pushed the son of the informant in pond. Specific allegation is against petitioner no.2 namely Sunil Yadav @ Sunil Kumar.

4. Learned counsel appearing on behalf of petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. Learned counsel submitted that from the perusal of the FIR it appears that no specific allegation has been alleged against the petitioners except petitioner no.2 namely Sunil Yadav @ Sunil Kumar, against whom there is a specific allegation that he has assaulted the informant with lathi and pushed the son of the informant in pond. There is case and counter case between the parties and the petitioner no.2 (Sunil Yadav @ Sunil Kumar) filed FIR being Shankarpur P.S. Case No.117 of 2020. In self-defence, the petitioners may have caused some injury to the informant. The petitioners have clean antecedent. In absence of any specific allegation, save and except petitioner no.2, there is general and omnibus allegation against rest of the petitioners. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the



prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the FIR, I find that there is specific allegation against the petitioner no.2. The learned District Court is directed to verify from the injury report and if the injury is simple in nature, learned District Court is directed to enlarge the petitioner no.2 on pre-arrest bail and if it is grievous in nature then in that case petitioner no.2 don't deserve to be released on pre-arrest bail.

7. So far as, the petitioner nos.1, 3, 4, 5, 6 and 7 are concerned, in view of the general and omnibus allegation leveled against them they are directed to be released on pre-arrest bail.

8. The learned District Court is directed to release the petitioner nos.1, 3, 4, 5, 6 and 7 on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate – I, Madhepura in connection with Shankarpur P.S. Case No. 116 of 2020, subject to the condition as laid down under Section 482(2) of the B.N.S.S.



9. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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