

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72187 of 2025

Arising Out of PS. Case No.-560 Year-2024 Thana- BARACHATTI District- Gaya

1. Mundrika Yadav @ Munarik Yadav S/O Ghanshyam Yadav R/O Vill.- Garwaiya, P.S.- Barachatti, Distt.- Gaya, Bihar

2. Anil Kumar @ Anil Yadav S/O Late Shambhu Yadav R/O Vill.- Garwaiya, P.S.- Barachatti, Distt.- Gaya, Bihar

3. Uday Kumar @ Uday Yadav S/O Satya Narayan Yadav @ Narayan Yadav R/O Vill.- Garwaiya, P.S.- Barachatti, Distt.- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115, 109, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita and 27 of the Arms Act.

3. Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of one case and petitioner nos. 2 & 3 are persons with clean antecedent and the informant alleges that on account of prevailing political dispute, the accused persons including the petitioners came on 24.12.2024 and abused Sanjay, Ajay and Vikash, thereafter, Mundrika fired

4-5 rounds at her gate and thereafter, the accused persons dashed her on the ground and when she disclosed that Sanjay, Ajay and Vikash are not at home, the accused persons left threatening that Sanjay and Vikash would be killed.

4. The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the instant case by the informant. It is next submitted that allegation of firing is alleged only to give seriousness to the case. It is next submitted from the perusal of the allegation as alleged in the F.I.R., it would manifest that informant herself alleges that on account of prevailing political dispute, the occurrence is alleged to have taken place. It is also submitted that no one was injured in the occurrence.

5. The learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners. The learned counsel appearing on behalf of the informant submits that petitioner no. 1 has not approached this Court with clean hands. It is submitted that at Para-3, it has been pleaded that petitioner no. 1 has antecedent of one case when he has antecedent of four more cases.

6. Considering the submissions made by the

learned counsel for the petitioners, 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 **Provisional anticipatory bail** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barachatti P.S. Case No. 560 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter, the learned Trial Court shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioner no. 1 has more than one antecedent and petitioner nos. 2 &3 have antecedent of even one case in that event the **Provisional anticipatory bail** shall not be confirmed but if it is found that petitioner no. 1 has antecedent of one case and petitioner nos. 2 & 3 are persons with clean antecedent, in that event, the **Provisional anticipatory bail** shall be confirmed forthwith.

(Satyavrat Verma, J.)

Jyoti Kumari/-

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