

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66689 of 2025

Arising Out of PS. Case No.-591 Year-2025 Thana- MADHEPURA District- Madhepura

1. Shankar Yadav S/o- Late Bijendra Yadav Resident of- Sahugarh Dulharam ward no-8, Ps- and Dist- Madhepura
2. Shambhu Yadav S/o- Late Bijendra Yadav Resident of- Sahugarh Dulharam ward no-8, Ps- and Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dinesh Prasad Verma, Adv.
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin, APP
For the Informant	:	Mr. Akash Anand, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-10-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 115(2), 126(2), 118(1), 109, 303(2) and 3(5) of the BNS, 2023.
3. Learned counsel for the petitioners submits that petitioners have antecedent of one case, but the same was disposed of by the learned *Lok Adalat*. It is next submitted that the informant alleges that he was assaulted by Shambhu Yadav by butt of pistol causing injury on head, thereafter, Shankar Yadav assaulted with *farsa* causing injury on head including fracture of finger of his left hand and when his son Bhushan came to save



him, he was assaulted by Shambhu by means of *Khanti* causing injury on his back, further Shambhu Yadav also assaulted the informant by *Khanti* causing fracture injury of his rib.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that on account of dispute relating to passage, an altercation had taken place in which both sides assaulted each other. It is also submitted that from side of the petitioners, Madhepura P.S. Case No. 594 of 2025 has been instituted against the informant and others. It is further submitted that injury report of Bhushan Yadav and Dinesh Yadav is annexed by way of Annexure-2 and from perusal of the same, it would manifest that injury suffered by Bhushan Yadav has been opined to be simple caused by hard and blunt substance, further injury of Dinesh Yadav, though has been opined to be grievous, but then the injury is on finger which is non vital part of the body. It is further submitted that allegation as alleged in the FIR does not get corroborated by the injury report. It is also submitted that no doubt petitioners had antecedent of one case, but then the same was compromised and accordingly the case was disposed of by learned *Lok Adalat*, it is thus submitted that petitioners are not criminals.

5. 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, but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that on account of dispute relating to passage, an altercation had taken place and an FIR from the side of the petitioners has also been instituted and the injury as alleged in the FIR does not get corroborated by the injury report.

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 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 Madhepura P.S. Case No. 591 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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