

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69384 of 2025

Arising Out of PS. Case No.-250 Year-2024 Thana- RASULPUR District- Saran

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Ishwar Yadav @ Iswar Yadav, S/o Late Rajmuni Yadav, R/o Village- Yogiya,
P.S.- Rasulpur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-09-2025 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Rasulpur P.S. Case No. 250 of 2024 registered for the offence(s) under Section(s) 115(2), 126(2), 110, 74, 329(3), 351(2) and 3 of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant has alleged that the named accused persons including the petitioner



had assaulted various persons of the prosecution side, causing fracture.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and the allegations leveled against him in the FIR does not finds support from the nature of injuries sustained by the injured persons. It has been submitted that the nature of injuries were found to be simple and the same has been incorporated in the impugned order. It has further been submitted that the two sides are agnates and on account of dispute with regard to boundary wall and drainage, the present case has falsely been lodged against the petitioner after 44 days of the alleged occurrence. It has lastly been submitted that the petitioner carries one criminal case against his name, wherein, he is on bail.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today,



on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Rasulpur P.S. Case No. 250 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present before the concerned Court/successor Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail-bonds of the petitioner will be liable to be cancelled by the concerned Court/successor Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail-bonds.

(v) The concerned Court/successor Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail-bonds. However, the acceptance of bail-bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of



verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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