

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72350 of 2025

Arising Out of PS. Case No.-268 Year-2025 Thana- DEEPNAGAR District- Nalanda

1. Rishu Kumar Son of Sanjay Yadav R/o Village - Korai, P.S. - Deepnagar, Dist. - Nalanda.
2. Chhote @ Rajmani Yadav @ Rajmani Kumar Son of Sanjay Yadav R/o Village - Korai, P.S. - Deepnagar, Dist. - Nalanda.
3. Ramu Yadav @ Ramu @ Vikash Kumar @ Vikash Kumar Yadav Son of Ashok Yadav @ Ashok Prasad @ Gorelal R/o Village - Korai, P.S. - Deepnagar, Dist. - Nalanda.
4. Bala Yadav @ Anuj Kumar Son of Ram Pravesh Yadav @ Feku Yadav R/o Village - Korai, P.S. - Deepnagar, Dist. - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suryakant Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Deepnagar P.S. Case No. 268 of 2025 for the offence registered under sections 191(2), 191(3), 190, 115(2), 126(2), 109(1), 132, 352 of B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, the informant has alleged that while he and other police party were on patrolling duty, they came to know about the firing/cross firing between the rival parties as also stone pelting and when they reached on



spot, the accused persons managed to escape, however the 'chowkidar' gave the name of the accused persons which followed the FIR.

4. Learned Counsel for the petitioners submit that only because of criminal antecedent of petitioner nos. 1 to 3, all the petitioners have been implicated, 'chowkidar' is inimical to them, all the cases are with the same party with whom the alleged firing has been attributed. However, without accepting the allegation made in the F.I.R., learned counsel for the petitioners submits that petitioners are ready to pay Rs. 5,000/- each (totaling Rs. 20,000/-) to the Chief Minister's Relief Fund. Some of the similarly situated co-accused persons have already been granted anticipatory bail by coordinate Bench of this Court, vide order dated 10.09.2025 passed in Cr.Misc. No. 61606 of 2025 and order dated 08.10.2025 passed in Cr.Misc. No. 68217 of 2025.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Considering the submissions of the parties as also the fact that the allegation is of firing/cross firing in the dark night, the 'chowkidar' has named them, an undertaking has been given that they shall be diligently appearing in trial, in that



background, this Court is inclined to extend the benefit of anticipatory bail to petitioners with condition that petitioners shall pay Rs. 5,000/- each (totaling Rs. 20,000/-) to the Chief Minister’s Relief Fund through Demand Draft and the receipt be submitted to the learned Trial Court at the time of furnishing bail-bonds.

7. Let the petitioners, as named above, in the event of arrest or surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Deepnagar P.S. Case No. 268 of 2025, subject to condition as laid down under Section 438(2) of the Cr.P.C. / Section 482 of the B.N.S.S.

(Prabhat Kumar Singh, J)

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