

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74107 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- TEYAR District- Bhojpur

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Anil Yadav S/O Fagu Yadav Resident of Village- Uttardaha, P.S.- Tiyyar,
District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-11-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Teyar P.S. Case No. 35 of 2025 for the offence under sections 126(2), 115(2), 352, 351(2), 303(2), 116(b), 110 and 3(5) of the B.N.S. lodged on 24.04.2025 by the informant, Sumeshwar Yadav.

3. As per the prosecution story, the informant alleged that due to land dispute, this petitioner took out a '*farsa*' and assaulted Sumeshwar Yadav causing injury on the head. Later, Santosh Yadav and Fagu Yadav attacked and fractured the right hand. Further allegation of assaulting the wife and taking away gold ornament is/are also there. This led to the FIR.

4. Learned counsel for the petitioner submits that there is case and counter-case, the petitioner is having no



criminal antecedent, FIR has been exaggerated, the injury has been found to be simple in nature and the last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner on its own would like to contribute Rs. 10,000/- towards the medical assistance of the informant through Demand Draft issued by the local State Bank of India/any Nationalized Bank branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that though the injury has been found to be simple in nature, assault is on the head.

6. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent, injury has been found to be simple in nature, there is case and counter-case, FIR lodged and he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India branch/any Nationalized bank branch to be submitted to the



Trial Court and handed over to the informant.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., VII, Bhojpur at Ara in connection with Teyar P.S. Case No. 35 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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