

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76713 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- BELDOUR District- Khagaria

1. Diwakar Kuar Diwana @ Devendra Kumar @ Diwana S/o Dayanand Yadav R/o Village- Sathma, Post - Kurban, PS- Beldaur, Distt.- Khagaria
2. Vipin Yadav @ Bipin Yadav S/o Late Dilip Yadav R/o Village- Sathma, Post - Kurban, PS- Beldaur, Distt.- Khagaria
3. Sanjay Yadav @ Sanjay Prasad Yadav S/o Late Chamak Lal Yadav R/o Village- Sathma, Post - Kurban, PS- Beldaur, Distt.- Khagaria
4. Vikash Yadav @ Vikash Kumar S/o Subhash Yadav R/o Village- Sathma, Post - Kurban, PS- Beldaur, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Budhilal Yadav, Adv.
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2025 1. 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(2), 118(1), 109, 303, 352, 351(2), 351(3) and 3(5) of the BNS, 2023 read with Section 27 of the Arms Act.

3. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 1 (Diwakar Kuar Diwana @ Devendra Kumar @ Diwana) who was arrested during



pendency of the anticipatory bail application.

4. Permission is accorded.

5. It is next submitted that petitioner nos. 2 and 4 are persons with clean antecedent and petitioner no. 3 has antecedent of one case and the informant alleges that on 06.02.2025 while he was returning home by car, when he was intercepted by 13 named accused persons including the petitioners along with unknown accused and the accused persons assaulted him by a sharp edged weapon causing injury on head and also assaulted his driver by lathi and snatched chain worth Rs. 85,000/-, further the accused persons also assaulted his brother by sharp edged weapon and butt of pistol causing injury on head and threatened not to institute a case.

6. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of assault is general and omnibus in nature. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioners and the informant were known to each other, as such, it does not appear probable that petitioners after committing the occurrence would have left a



witness against themselves.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

8. 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 Beldaur P.S. Case No. 36 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

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

(Satyavrat Verma, J)

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