

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77986 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- KASHICHAK District- Nawada

1. Jitendra Kumar @ Jitendra Yadav, Son of Suresh Yadav, Resident of Village - Lilabigha, P.S.- Kashichak, District- Nawada.
2. Rakesh Kumar @ Rakesh Yadav, Son of Manoj Yadav, Resident of Village - Lilabigha, P.S.- Kashichak, District- Nawada.
3. Santu Yadav, Son of Naresh Yadav, Resident of Village - Lilabigha, P.S.- Kashichak, District- Nawada.
4. Manoj Yadav @ Manoj Kumar, Son of Lakhan Yadav, Resident of Village - Lilabigha, P.S.- Kashichak, District- Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Man Mohan Kumar, Advocate
For the State	:	Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Kashichak PS. Case No.78 of 2025 Dated.14.05.2025, registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 132, 109, 121(1), 121(2), 131(2), 324(4), 324(2), 342(4), 352, 351(2) of the B.N.S., 2023.

3. As per allegation, the co-accused, Ravish Kumar parked his *toto (e-rickshaw)* vehicle, without any number plate,



with a tape-recorder playing song in high volume and when the police asked him to give way to pass, altercation took place and thereafter, some villagers were called and the police were assaulted.

4. Learned counsel for the petitioners submit that it is not believable that the driver of a *toto* vehicle will dare to enter into altercation with police. He further submits that the accused persons have been falsely implicated on account of ulterior motives.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner nos. 2 & 3 have been made accused in one other case each, whereas the Petitioner nos.1 & 4 have no criminal antecedents.

7. learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Kashichak PS. Case No.78 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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