

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82656 of 2024

Arising Out of PS. Case No.-237 Year-2024 Thana- KOILWAR District- Bhojpur

-
-
1. Praduman Kumar Yadav @ Praduman Kumar S/O Surendra Yadav R/O Village- Kulhariya, P.S.- Koilwar, District- Bhojpur.
 2. Prem Kumar Yadav @ Prem Kumar S/O Surendra Yadav @ Baba R/O Village-Sakadi, P.S.- Koilwar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 82821 of 2024

Arising Out of PS. Case No.-237 Year-2024 Thana- KOILWAR District- Bhojpur

-
-
1. Dipak Kumar Yadav @ Dipak Kumar Son of Nagendra Yadav Village- Kulhariya, P.S.- Koilwar, District- Bhojpur
 2. Jitesh Kumar Son of Subhas Yadav Village- Kulhariya, P.S.- Koilwar, District- Bhojpur
 3. Sonu Kumar @ Sonu Yadav Son of Guddu Yadav Village- Kulhariya, P.S.- Koilwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 84989 of 2024

Arising Out of PS. Case No.-237 Year-2024 Thana- KOILWAR District- Bhojpur

-
-
1. Wakil Kumar @ Wakil Kumar Yadav S/o Vishun Dayal Yadav R/o Village- Gidha, P.S.- Koilwar, District- Bhojpur
 2. Golu Kumar Yadav S/o Kamal Yadav R/o Village- Sakadi, P.S.- Koilwar, District- Bhojpur
 3. Ravi Kumar @ Birbal Kumar Yadav @ Birbal Yadav S/o Shivdayal Yadav R/o Village- Sakadi, P.S.- Koilwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar



... .. Opposite Party/s

=====

Appearance :
(In CRIMINAL MISCELLANEOUS No. 82656 of 2024)
For the Petitioner/s : Mr. Manoj Kumar, Adv.
For the Informant : Mr. Ashwani Kumar Tiwari, Adv.
For the State : Mr. Tarun Prasad Mandal, APP
(In CRIMINAL MISCELLANEOUS No. 82821 of 2024)
For the Petitioner/s : Mr. Manoj Kumar, Adv.
For the State : Mr. Mohammed Arif, APP
(In CRIMINAL MISCELLANEOUS No. 84989 of 2024)
For the Petitioner/s : Mr. Manoj Kumar, Adv.
For the State : Mr. Umeshanand Pandit, APP

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 02-07-2025 Heard learned counsel for the petitioners, learned

Additional Public Prosecutor for the State and learned counsel

for the informant.

2. The petitioners are apprehending their arrest in a
case registered for the offence punishable under Sections 147,
148, 149, 341, 342, 323, 385, 504, 506 of the Indian Penal Code
and Section 27 of the Arms Act.

3. The prosecution story as unfolded in the First
Information Report is that 10 to 12 persons had intercepted the
informant and after assaulting him, confined him in a room and
even demanded ransom. It is further alleged that when his
brother Pintu Yadav reached there to save the informant, all the
accused persons including the present petitioners assaulted the
said Pintu Yadav and thereafter there is specific allegation on
Deepak Kumar that he hit Pintu Yadav with iron rod on his nose



and petitioner Praduman Kumar also assaulted him on his forehead and there is also an allegation on petitioner Prem Kumar Yadav of hitting him by the butt of the pistol, whereafter the informant and his brother were taken for treatment.

4. Learned counsel for the petitioners submits that it would be apparent from the First Information Report itself that there is general and omnibus of assault upon all the petitioners. It has also been contended that despite the fact that there is an allegation that one of the petitioner was armed with a firearm yet the same has not been used for causing any firearm injury upon the informant or his brother. Further, the injury report of both the informant and his brother Pintu Yadav has also been referred to which are available in the case diary and both the injury reports would show that the injuries were simple in nature in the form of superficial abrasion and some pain.

5. Learned counsel for the informant opposes the application for anticipatory bail to the petitioners since there is an allegation of assault upon the informant and his brother and there are specific allegations on at least petitioner Praduman Kumar Yadav, Deepak Kumar Yadav and Prem Kumar Yadav. It has also been submitted that these petitioners have criminal antecedents which they have not disclosed in the main petition



and has been subsequently brought on record by way of supplementary affidavit after the same having been pointed out.

6. Taking into consideration the allegations of assault and their subsequent disclosure of criminal antecedent, I am not inclined to grant the privilege of anticipatory bail to petitioners Praduman Kumar Yadav and Prem Kumar Yadav in Cr. Misc. No. 82656 of 2024 and petitioner no. 1 Deepak Kumar Yadav in Cr. Misc. No. 82821 of 2024.

7. However, the petitioners of Cr. Misc. No. 84989 of 2024 and petitioner nos. 2 and 3 of Cr. Misc. No. 82821 of 2024 are directed to be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Koilwar P.S. Case No. 237 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.subject to the further conditions:

(i) One of the bailors will be a family member/close relative.



(ii) The petitioners would appear before the Investigating Officer of the concerned police station at an interval of every 15 days till investigation is concluded against them.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

