

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83370 of 2025**

Arising Out of PS. Case No.-92 Year-2025 Thana- MUFFASIL District- Aurangabad

1. Rahul Kumar Son of Prem Yadav R/o Pachrukhiya, P.S. - Aurangabad Mufassil, Dist. - Aurangabad(Bihar).
2. Shiv Kumar Son of Virendra Yadav R/o Pachrukhiya, P.S. - Aurangabad Mufassil, Dist. - Aurangabad(Bihar).
3. Vikram Kumar @ Vikash Kumar Son of Tunna Yadav R/o Pachrukhiya, P.S. - Aurangabad Mufassil, Dist. - Aurangabad(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      17-12-2025                      Heard the parties.

2. The petitioners apprehend their arrest in connection with Aurangabad Muffasil P.S. Case No. 92 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 352, 351(2), 109(1), 303(2), 3(5) of the BNS.

3. Allegedly, all the accused persons, including the petitioners, variously armed brutally assaulted the informant and others which led to serious injuries. It is specifically alleged that petitioner No. 1 assaulted Sitaram Yadav with rod and further on the instigation of co-accused persons, the petitioner No. 1 along with co-accused Amrendra Kumar fired from the pistol and



snatched the valuables. There is allegation against petitioner Nos. 2 and 3 of causing assault to Nikhil Kumar and Nirhu Yadav due to which they also sustained injuries.

4.Learned Advocate for the petitioners submitted that the entire case falls to the ground for the simple reason that during the course of investigation, the Investigating Officer has not found the case true against the petitioners and thus, they have not been sent up for trial. However, differing with the final report, the learned jurisdictional court took cognizance for the offences, as alleged in the FIR; hence the necessity of the present application. There is counter version of the present case being Aurangabad Muffasil P.S. Case No. 97 of 2025 registered against the informant and his family members. The other co-accused persons, who are also facing somewhat identical allegation, have been allowed the privilege of anticipatory bail by a Bench of this Court in Cr. Misc. No. 39238 of 2025 and Cr. Misc. No. 40869 of 2025 vide order dated 01.07.2025 and 25.07.2025. The injuries, which are allegedly attributed to the petitioners, have been found to be simple in nature. The petitioners are men of tender age having fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the



petitioners have actively participated in the crime.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that the petitioners have not been sent up for trial and differing with the final report, the learned jurisdictional court has taken cognizance of the offences as alleged in the FIR, besides the fair antecedent, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon 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, Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 92 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

**(Harish Kumar, J)**

Anjani/-

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