

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2962 of 2026

Arising Out of PS. Case No.-150 Year-2025 Thana- AMBA District- Aurangabad

1. Santosh Yadav @ Santosh Kumar Yadav S/o- Bhikhari Yadav R/v- Dariyapur Yadav Bigha Ps- Amba Dist- Aurangabad
2. Ramdhayan Yadav @ Ramdhyan Kr.Yadav S/o- Vinesh Yadav R/v- Dariyapur Yadav Bigha Ps- Amba Dist- Aurangabad
3. Vishnu Yadav @ Amlesh Yadav S/o- Vinesh Yadav R/v- Dariyapur Yadav Bigha Ps- Amba Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Anand, Adv.

For the Opposite Party/s : Mr.Renuka Ratanakar (App125)

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. After some arguments, learned counsel for the
petitioners prays for withdrawal of the anticipatory bail
application on behalf of petitioner no.1 Santosh Yadav.

3. Permission is granted.

4. The application is dismissed as withdrawn with
respect to petitioner no.1 only. However, liberty is granted that
if the petitioner no.1 surrenders and seeks regular bail within a
period of three weeks before the learned Court below, the same
shall be considered on its own merit without being prejudiced



by the present order of withdrawal preferably on the same day.

5. The petition now survives on behalf of petitioner nos.2 and 3 only.

6. The petitioners apprehends their arrest in connection with Amba P.S. Case no.150 of 2025 registered under sections 126(2), 115(2), 117(2), 109, 352. 351(2) and 3(5) of the Indian Penal Code.

7. The allegations in the F.I.R is that all accused persons came variously armed and indulged in assaulting the informant and his wife causing injuries to them.

8. Learned counsel for the petitioners submits that it would be apparent from the F.I.R that petitioners and the informant are the *gotiyas* and on account of some physical scuffle between the parties, the informant fell on the plough of the tractor and received injuries on his head and this injury is said to be grievous in nature. Moreover, the incident had taken place on the spur of moment upon dispute with regard to removal of tractor, as such Section 109 of BNS could not be attracted. So far as injuries sustained by the informant's wife is concerned, the same is general and omnibus allegation in nature and the nature of injury has also not been indicated in the bail rejection order. The petitioners undertake to co-operate in



investigation/trial.

9. The application for anticipatory bail is opposed by learned A.P.P. for the State.

10. Taking into consideration the aforesaid facts and circumstances of the case and considering that physical altercation took place between the parties on account of removal of tractor and injury sustained by the informant is attributable to accused santosh Yadav whose anticipatory bail application has already been withdrawn, it is directed that the petitioner nos.2 and 3, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Amba P.S. Case no.150 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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