

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6659 of 2026

Arising Out of PS. Case No.-444 Year-2025 Thana- BANKA District- Banka

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1. Raju Kumar Yadav S/O Shiv Pujan Yadav R/O Village- Chakkadih, Police Station- Banka, District- Banka
 2. Vijay Yadav S/O Shiv Pujan Yadav R/O Village- Chakkadih, Police Station- Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 04-02-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehended their arrest in connection with Banka P.S. Case No. 444 of 2025, F.I.R dated 28.09.2025 registered for the offences punishable under Sections 341, 323, 448, 307, 504, 34 of the Indian Penal Code and 126(2), 115(2), 329(4), 109(1), 352 & 3(5) Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 27.09.2025 at about 8:00 AM at village ChakkaDih, the informant *Bittu Yadav* objected to *Shivpujan Yadav* disconnecting electricity to a government tap motor. Thereafter, *Shivpujan Yadav* abused him,



and his sons *Raju Kumar Yadav and Vijay Yadav* allegedly assaulted the informant with iron rods, causing multiple head injuries with intent to kill. Subsequently, *Shivpujan Yadav, Tara Devi, and Suman Devi* also assaulted him with sticks. When *Sarita Devi* intervened, she was beaten and lost a tooth. The accused threatened dire consequences for reporting the incident.

4. Learned counsel for the petitioners by referring to the injury report submits that the injury is simple, which does not corroborate the allegations, which is levelled against these two persons, where allegations of repeated blow on head with iron rod is made. Whereas, the allegations of breaking the teeth of the mother-in-law of the informant for which the allegations have been levelled against all the accused and there is nothing specific against these petitioners, these petitioners have clean antecedent and the petitioners are ready to abide by the terms and conditions to grant the privilege of anticipatory bail.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of



their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka/Court concerned, Banka in connection with Banka P.S. Case No. 444 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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