

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11716 of 2026

Arising Out of PS. Case No.-396 Year-2025 Thana- BIRAUL District- Darbhanga

1. Arvind Yadav, Son of Rambilas Yadav Resident of Village-Bhikhanauli, P.O-Jagannathpure P.S-Biraul, District-Darbhangha Bihar
2. Pramod Yadav @ Pramod Kumar yadav @ Pravin Kumar Yadav, Son of Rambilas Yadav Resident of Village-Bhikhanauli, P.O-Jagannathpure P.S-Biraul, District-Darbhangha Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amit Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Biraul P.S. Case No.396 of 2025 registered for the offences under Sections 329(3), 115(2), 126(2), 118(2), 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation as per the informant is that petitioner no.1 on the instructions of one Rambilas Yadav, gave farsa blow which hit the persons sitting behind the informant on the motorcycle and hit him on his head. It is further alleged that all the accused persons, including the other petitioner, had assaulted with lathi.



4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and no such incident as alleged had occurred. It has further been submitted that it is alleged that petitioner no.1 had assaulted one Amrendra Yadav on his head, however, from the injury report, which has been procured from DMCH, it would appear that there is only a stitched wound found on the left parietal region and as per the radiological examination, only mild scalp swelling over the parietal bone was found and there was no bony injury. It has next been submitted that there are no specific allegation of overact against the petitioner no.2 and rather the allegations are general and omnibus in nature. Learned counsel for the petitioners has referred to the same injury report of the injured Amrendra Yadav wherein apart from the said one injury, there is no reference to other injuries on the body of the injured. It has also been submitted that the informant has exaggerated the incident and has falsely implicated the petitioners. It has lastly been submitted that the petitioners carry three criminal antecedents.

5. Learned APP for the State has opposed the prayer for anticipatory bail and has stated that the petitioners have assaulted one of the injured on the head.



6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties and looking at the nature of the injury, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(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 Biraul P.S. Case No.396 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
- (iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it



is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioners, the petitioners are directed to appear before the Superintendent of Police, Darbhanga within fifteen days of their release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the courts concerned.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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