

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9399 of 2026

Arising Out of PS. Case No.-197 Year-2025 Thana- KALUAHI District- Madhubani

1. Ram Swaroop Yadav S/O Late Gujur Yadav @ Gujar Yadav R/O Village - Bharatpatti, P.S- Kaluahi , District - Madhubani.
2. Dilip Yadv S/O Ram Swaroop Yadav R/O Village - Bharatpatti, P.S- Kaluahi , District - Madhubani.
3. Pradeep Yadav S/O Ram Swaroop Yadav R/O Village - Bharatpatti, P.S- Kaluahi , District - Madhubani.
4. Praveen Yadav S/O Ram Swaroop Yadav R/O Village - Bharatpatti, P.S- Kaluahi , District - Madhubani.
5. Naveen Yadav S/O Ram Swaroop Yadav R/O Village - Bharatpatti, P.S- Kaluahi , District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Yadav, Adv.
	:	Mr. Ravi Prakash, Adv.
	:	Mr. Udeshya Kumar Yadav, Adv.
For the Opposite Party/s :	:	Mr. Nawal Kishore Prasad, App.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-03-2026 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kaluahi Police Station Case No. 197 of 2025, disclosing offences under Sections 126(2), 115(2), 118(1), 351(2), 352, 303(2), 3(5) of the BNS, 2023.
3. As per the FIR, on 10.10.2025, the informant went at the flour mill of the co-accused Ram Swaroop Yadav for grinding of wheat. Ram Swaroop Yadav was in drunken state.



The grinding of the wheat was not done properly, upon which Sudhir Singh told to the informant that he would replace the flour, but accused persons started abusing Sudhir Singh. The informant pacified the matter and went to his home. Suddenly, petitioners along with other 6 to 7 unknown persons armed with lathi, iron rod surrounded the informant. Ram Swaroop Yadav/ petitioner no. 1, ordered to kill the informant on which Praveen Yadav assaulted him with iron rod on the head and nose due to which his nasal bone got fractured. Naveen Yadav assaulted the informant with lathi on his eyes. Informant's son Dharmendra Kumar Singh came to save him, upon which Pradeep Yadav, i.e., petitioner no. 3, assaulted informant's son also on his nose. Petitioner no. 1 snatched Rs. 40,000 from his pocket.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to village rivalry. The occurrence has taken place on 10.10.2025 and the FIR has been lodged after a delay of about 27 days on 07.11.2025. He further submits that the petitioner no. 1 is an order giver and has not assaulted the informant. There is no specific allegation against petitioner no. 2. Petitioner no. 3 has assaulted the son of the informant, but no injury of the informant's son has been brought on record.



5. Mr. Nawal Kishore Prasad, on the other hand, learned counsel appearing for the State, submits that petitioner no. 4 and petitioner no. 5 assaulted the informant on his head and nose due to which the informant sustained grievous injury and was treated in various hospitals. The delay in lodging the FIR has been explained in the FIR itself. The injury caused to the informant's son has not been discussed in the impugned order.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner no. 4/Paveen Yadav and petitioner no. 5/Naveen Yadav have assaulted the informant, who is ex-serviceman and was treated at RR Hospital of New Delhi and sustained grievous injury, I am not inclined to grant privilege of anticipatory bail to petitioner nos. 4 and 5. The application for bail with respect to petitioner nos. 4 and 5 stands rejected.

6. Insofar as petitioner nos. 1, 2 and 3 are concerned, petitioner no. 1 is an order giver and has not assaulted anybody. There is no specific allegation against petitioner no. 2 and petitioner no. 3 has allegedly assaulted the son of the informant, but injury caused to the informant's son has not been brought on record by the prosecution, accordingly,



I am inclined to grant privilege of anticipatory bail to petitioner nos. 1, 2 and 3.

6. This application is, accordingly, allowed.

7. Let the petitioner nos. 1, 2 and 3, above named, in the event of their arrest or surrender before the Court below within four weeks, 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 learned Judicial Magistrate, 1st Class, Madhubani, in connection with Kaluahi Police Station Case No. 197 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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