

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11536 of 2026

Arising Out of PS. Case No.-395 Year-2025 Thana- BIHIA District- Bhojpur

Harendra Yadav S/O Kamala Yadav Resident of Village- Kateyan, P.S.-
Bihiya (Bihiyan), District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 01-04-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bihiya P.S. Case No. 395 of 2025, F.I.R dated 23.10.2025 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 303(2), 351(2), 352, 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant, *Bihari Yadav*, lodged a written report on 22.10.2025 alleging that due to a prior dispute, the accused *Harender Yadav and Ramesh Yadav* came to his house in an intoxicated state, abused him, and later returned armed with an iron rod. When the informant's father came out, they allegedly assaulted him with intent to kill, causing serious head injuries. Subsequently, other accused persons arrived with sticks and rods, assaulted the



informant's sister-in-law *Arti Devi*, and snatched her gold ornament. The victims were rescued by villagers and taken for medical treatment.

4. Learned counsel for the petitioner submits that the allegation of assault has been made against Harendar Yadav and Ramesh Yadav, who are said to have assaulted the informant. However, the injury report does not corroborate the allegations levelled in the FIR, and the allegations are general and omnibus in nature. The petitioner, however, undertakes not to indulge in any such incident in future; however, if upon examination he is found to be involved and the allegations against him are true, the police or the informant shall be at liberty to take appropriate steps for cancellation of bail.

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

6. Considering the aforesaid facts and circumstances and the petitioner has no criminal antecedent and there is nothing specific against this petitioner and injury does not support the allegations. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her 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 C.J.M. Bhojpur at Ara in connection with Bihiya P.S. Case No. 395 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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