

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15662 of 2026

Arising Out of PS. Case No.-355 Year-2025 Thana- MADANPUR District- Aurangabad

1. Amit Kumar S/o Anil Yadav R/o Village - Munshi Bigha, P.S - Madanpur, District - Aurangabad
2. Anil Kumar @ Anil Kumar Yadav @ Anil Yadav S/o Late Pratap Yadav R/o Village - Munshi Bigha, P.S - Madanpur, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 29-04-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Madanpur P.S. Case No. 355 of 2025 for the offence punishable under sections 109, 303(2), 191(2), 190, 329(4), 126(2), 115(2), 117(2), 351(3) of the BNS lodged on 29.08.2025 by the informant.

3. As per the prosecution case, the allegation against the petitioners is that they along with other four accused persons came on motorcycles to the door of informant's father-in-law and started abusing him as well as assaulted him by means of iron rod due to which his hand, leg and stomach got injured. It is further alleged that when *Gotni* of informant, namely, Sarswati Devi came to rescue her father-in-law, she was also



abused and assaulted. Thereafter, ten other accused persons joined them and all started throwing bricks on them due to which, the informant and her *Gotni* receive injuries. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that petitioners no. 1 and 2 are son and father respectively and from the FIR itself, it is evident that no role of any overt-act has been assigned to these petitioners while the other co-accused, namely, Dinesh Yadav is said to have inflicted injuries on the hand, leg and stomach of one Balkeshwar Yadav, father-in-law of the informant. The allegation against these petitioners are general and omnibus in nature. The injuries which have been found to be grievous in nature is on the hand of Balkeshwar Yadav which is not a vital part of the body. It is further submitted that though the petitioners have two criminal antecedents but they are on bail in those cases.

5. On the other hand, learned APP vehemently, opposes the prayer for anticipatory bail of the petitioners submitting that both the petitioners have criminal antecedents of serious nature and they do not deserve the privilege of anticipatory bail.

6. Considering the submissions of the parties and



there is no specific allegation of overt-act against these petitioners while the allegation of overt-act is upon one another co-accused, Dinesh Yadav, and the injury is not on the vital part of the body, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail in the event of arrest or surrender within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned **Chief Judicial Magistrate, Aurangabad** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the 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/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 his/their bail
bonds.*

(Ajit Kumar, J)

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