

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15028 of 2026

Arising Out of PS. Case No.-28 Year-2021 Thana- RATANPUR District- Supaul

1. Birendra Yadav @ Birendra Kumar Yadav S/o Bhola Prasad Yadav @ Bhola Yadav Resident of village - Satanpatti, Police Station - Ratanpura, District - Supaul
2. Mithilesh Kumar @ Mithu @ Mithun Yadav S/o Rajendra Yadav Resident of village - Satanpatti, Police Station - Ratanpura, District - Supaul
3. Hiralal Yadav @ Hira Kumar S/o Ramesh Yadav Resident of village - Satanpatti, Police Station - Ratanpura, District - Supaul
4. Shankar Yadav @ Shankar Kumar S/o Ramesh Yadav Resident of village - Satanpatti, Police Station - Ratanpura, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-03-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 380, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and in sum and substance, the allegation is that petitioner no. 1 Birendra Yadav assaulted Laddu Lal Yadav by farsa causing injury on his head and thereafter assaulted Rupesh Kumar by farsa causing injury on his neck. It is further submitted that as far as other petitioners



are concerned, the allegation against them is general and omnibus in nature. It is next submitted that petitioners had moved before the learned District Court seeking anticipatory bail but then the same came to be rejected thereafter the Investigating Officer of the case gave notice under Section 41A of the Cr.P.C. to the accused persons and the accused persons cooperated in the investigation and the Investigating Officer never felt the need of arresting the petitioners but subsequently charge-sheet came to be submitted based on which cognizance has been taken, hence, petitioners apprehend their arrest.

4. Learned counsel for the petitioners submits that when the police, during the course of investigation, never felt the need of arresting the petitioners, whether it would be prudent for the Court to send the petitioners to jail based on an order of cognizance. It is further submitted that if the privilege of anticipatory bail is granted to the petitioners, the petitioners will not abscond rather will cooperate in the trial to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners, above-named, in



the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Ratanpura P.S. Case No. 28 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that if the learned Trial Court comes to a conclusion that petitioners, after their release on anticipatory bail, are trying to delay the framing of charge or after framing of charge are trying to delay the trial of the case in any manner, in both the conditions the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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