

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20051 of 2026

Arising Out of PS. Case No.-106 Year-2025 Thana- Bathnaha District- Araria

1. Rupesh Yadav @ Rupesh Kumar Yadav Son of Late Lilanand Yadav R/o Village - Palasi Ward no. 6, P.S. - Narpatganj, Distt. - Araria.
2. Rajiv Yadav @ Rajiv Kumar Yadav Son of Late Lilanand Yadav R/o Village - Palasi Ward no. 6, P.S. - Narpatganj, Distt. - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Purushottam Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 19-05-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bathnaha P.S. Case No.106 of 2025, F.I.R dated 28.10.2025 registered for the offences punishable under Sections 115(2), 126(2), 118(1), 117(2), 109 and 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, in brief, is that the informant, Suraj Kumar Yadav, lodged his fardbeyan on 28.10.2025 alleging that due to a long-standing land dispute, while he was offering “Urga” during Chhath Puja at Parman River, Sonapur, the accused persons assaulted him and Ganesh



Yadav fired at him below the waist, causing injuries. It has further been alleged that the accused persons thereafter fled away from the place of occurrence on motorcycles.

4. Learned counsel for the petitioners submits that the specific allegation of causing injury is against Ganesh Yadav, who has already been extended the privilege of anticipatory bail application by a Co-ordinate Bench of this Court vide order dated 08.04.2026 passed in Cr. Misc. No.19740 of 2026 while there is nothing specific against these petitioners, who is said to have caused injury to any of the family members of the informant, namely, Suraj Kumar Yadav. Lastly, it has been submitted that the petitioner No.1 has no criminal antecedent while petitioner No.2 has one criminal antecedent but he is on bail in the said case.

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

6. Considering the aforesaid facts and circumstances that the specific allegation of causing injury is against Ganesh Yadav, who has already been extended the privilege of anticipatory bail application by a Co-ordinate Bench of this Court and there is nothing specific against these petitioners, who is said to have caused injury to any of the family members of



the informant and the petitioner No.1 has no criminal antecedent while petitioner No.2 has one criminal antecedent but he is on bail in the said case. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their 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 Chief Judicial Magistrate, Araria, in connection with Bathnaha P.S. Case No.106 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/known of the petitioner(s) who shall provide official document/personal affidavit 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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