

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24007 of 2026

Arising Out of PS. Case No.-322 Year-2025 Thana- BIRAUL District- Darbhanga

Bikash Kumar Yadav S/O Mangal Yadav R/O Resident of Village- Paghari,
P.S- Biraul, District- Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 14-07-2026 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 Biraul P.S. Case No.322 of 2025, F.I.R dated 06.09.2025 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on the night of 06.09.2025 at about 2:00 A.M., the petitioner, Bikash Kumar Yadav, along with Kali Kant Chaudhary, Mangal Yadav, and 2–3 unknown persons, attempted to steal the informant's buffalo and its calf. Upon hearing the calf, the informant's husband, Babu Kant Jha @ Nilok Jha, woke up, raised an alarm, and caught hold of Mangal Yadav. It is alleged that to secure Mangal



Yadav's release, the petitioner and Kali Kant Chaudhary attacked the informant's husband with a knife/dagger, causing serious injuries to his face and eyes. When the informant's son, Dilkhush Kumar Jha, intervened, he was pushed to the ground, after which the accused fled on a motorcycle. With the assistance of villagers, Mangal Yadav and a Honda Shine motorcycle (Registration No. BR07AR1415) were apprehended. The injured victim was initially taken to the Government Hospital, Biraul, and was subsequently referred to D.M.C.H. due to the severity of his injuries.

4. Learned counsel for the petitioner submits that the allegations of committing theft is false and frivolous and has been made on account of village rivalry and previous enmity and nothing incriminating is said to have surfaced during the course of investigation to find the complicity of the petitioner in the said commission of offence. It has next been submitted that no injury is said to have been caused and the petitioner has clean antecedent. From the case diary, it appears that injury report referred in para-28 is not final and despite direction issued by this Court on 17.04.2026 and only reference is made in para-52 that once the same is prepared, it shall be forwarded to the Police Station.

5. Learned APP for the State opposes the prayer for



anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the allegations of committing theft is false and frivolous and nothing incriminating is said to have surfaced during the course of investigation to find the complicity of the petitioner in the said commission of offence and the petitioner has clean antecedent. 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 Court of ACJM-I, Biraul, Darbhanga, in connection with Biraul P.S. Case No.322 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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