

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27931 of 2026

Arising Out of PS. Case No.-64 Year-2026 Thana- Kawaiya District- Lakhisarai

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1. Shatrudhan Yadav @ Sato Yadav S/o Abdhesh Yadav @ Avadhesh Yadav R/o vill - Kabaiya Road, ward no. 30, P.S.- Kabaiya, Distt.- Lakhisarai
 2. Naveen Kumar S/o Barun Ram R/o vill - Kabaiya Road, ward no. 30, P.S.- Kabaiya, Distt.- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. X D/o Y R/o vill - Maa Kailash Nagar, ward no. 31, P.S.- Kabaiya, Distt.- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Bilochan, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 17-07-2026 Heard the learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kabaiya P.S. Case No. 64 of 2026, F.I.R dated 01.02.2026 registered for the offences punishable under Sections 354, 354 (A), 74, 75, 351 (2), 352, 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the accused persons along with 10-15 associates used to eve tease the girls and woman of the locality. It is further alleged that whenever any



person opposed their activity, they used to threaten and assault them, and accordingly the F.I.R.

4. Learned counsel for the petitioner submits that there is no date mentioned in the First Information Report with regard to this petitioner being found involved as per the allegations in eve teasing and harassing the girls in the locality. It has next been submitted that notice to the informants were issued while the consideration of anticipatory bail was being made by the court of learned District & Additional Sessions Judge VI-cum-Excl. Spl. Judge, POSCO Act, Lakhisarai vide A.B.P. No. 238 of 2026. Counsel for the petitioner by referring to the para – 02 of the A.B.P. No. 238 of 2026 submits that the informants were noticed in this case, who on their appearance have not opposed the prayer for bail and the observations made by the court concerned is reproduced as under:

“Heard the learned counsel for the petitioners as well as learned Special Public Prosecutor on behalf of the State. A notice was issued to the victim/informant of this case. The victim/informant appeared before the Court and she did not oppose the bail application of the petitioners.”

5. In this case, the statement recorded under Section 183 of BNSS do suggests the allegations made against this petitioner to be true while Ms. Kusum Kumari, Advocate, who



is representing the informant on notice, submits that she has received instructions not to oppose the present application, as the parties have amicably resolved their dispute. She submits that both parties belong to the same village and do not wish to pursue further litigation. It is further submitted that, after the victim's statement was recorded under Section 183 of BNSS, with the intervention of elderly persons of the family and villagers facilitated an amicable settlement between the parties.

6. Considering the hardships, rigours, and harassment arising from the criminal proceedings, the informant's family have mutually decided not to oppose the petitioner's prayer for anticipatory bail. Accordingly, she prays that the privilege of anticipatory bail may be extended to the petitioner, subject to appropriate conditions imposed to ensure strict adherence to the terms of the compromise.

7. On the other hand, learned APP, Mr. Raj Kishor Singh appearing for the State submits that, in view of the sincere efforts made by the elders of the society to restore peace and harmony, and considering the statement made on behalf of the informant that the prayer for anticipatory bail is not being opposed, the petitioner may be granted the privilege of anticipatory bail. It is, however, submitted that the court



concerned may be directed to obtain an appropriate undertaking from the petitioner at the time of furnishing the bail bond and impose suitable and stringent conditions to ensure compliance with the terms of the compromise. It is further submitted that, in the event of any violation of such undertaking or conditions, the privilege of anticipatory bail so granted shall be liable to be cancelled.

8. Considering the stands taken by the parties and after appreciating the efforts of the elderly persons of both the families of accused petitioner side and informant side, this Court, in order to put at rest the on-going dispute, directs this petitioner to appear before the court concerned with an undertaking which would be considered by the court concerned, who would be obliged to appreciate and place all such conditions being relevant to maintain peace and harmony between the families after seeking presence of the informant's families at the time of accepting the undertaking.

9. The bail bond shall be accepted only upon the petitioner furnishing the requisite undertaking and agreeing to abide by the conditions imposed. In the event of any breach or violation of the undertaking or any of the conditions so imposed, the privilege of anticipatory bail granted to the



petitioner shall be liable to be canceled on finding the allegation to be true. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner subject to the conditions referred above.

10. 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 District & Additional Sessions Judge-VI-cum-Excl. Spl. Judge POSCO Act, Lakhisarai in connection with the aforementioned P.S. Case, 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 including the conditions referred above, which shall be read along with the 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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