

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28426 of 2026

Arising Out of PS. Case No.-178 Year-2025 Thana- KADAMKUAN District- Patna

Binay Yadav @ Binay Kumar Yadav S/o Late Ramprit Yadav Resident of
Mohalla- Kazipur Naya tola, Gali of M.B.D. Building, PS.- Kadamkuan,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Surendra Kumar Mishra, Advocate
For the State	:	Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 190, 191(2), 126(1),
115(1), 118(2), 109(1), 351(1) and 352 of the Bharatiya Nyaya
Sanhita.

3. As per prosecution case, on account of dispute with
regard to pathway, all the F.I.R. named accused persons,
including this petitioner, assaulted informant and his family
members by means of *lathi*, *danda* and iron rod.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence.



Allegation of assault is general and omnibus and there is no specific allegation of overt act against this petitioner. Injuries sustained by the injured are simple in nature. It is further submitted that similarly situated co-accused persons have already been granted privilege of anticipatory bail by this Hon'ble Court vide order dated 03.09.2025 passed in *Cr. Misc. No. 59515 of 2025*. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity, nature of injuries allegedly caused by this petitioner and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, F.C. XIV, Patna in connection with Kadamkuan P. S. Case No. 178 of 2025, subject to condition as laid down under Section 482(2) of



the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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