

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27477 of 2025

Arising Out of PS. Case No.-596 Year-2024 Thana- FATEHPUR District- Gaya

Vijay Yadav @ Vijay Kumar Son of Rameshwar Yadav Resident of vill.-
Manjhauri,P.S.-Fatehpur,Dist.-Gaya,Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anmol Kumar, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-01-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Fatehpur P.S. Case No. 596 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 303(2), 351(2), 352 & 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The allegation against the petitioner is to assault the informant and others by using lathi, iron rod causing bodily injury with intention to cause death.

4. Learned counsel appearing on behalf of



the petitioner submitted that the occurrence was free-fight in nature. It is submitted that out of previous enmity arising out of of Fatehpur P.S. Case No. 286/2024, the present false case was lodged against the petitioner. It is pointed out that upon facial perusal of the FIR, it can be gathered safely that allegation *qua* physical assault is very much general and omnibus against this petitioner, whereas same appears specific to the extent with co-accused Sunil Yadav and Pankaj Yadav, where Sunil Yadav (co-accused) has already granted anticipatory bail by one of the learned coordinate Bench of this Court through Cr. Misc. No. 22870/2025 dated 01.05.2025.

5. Learned A.P.P. for the State duly assisted by Ms. Swati Parmar, learned counsel appearing for the informant, while opposing the prayer for anticipatory bail of the petitioner, could not disputed that allegation *qua* physical assault against the petitioner as general and omnibus in nature as submitted by learned counsel for the petitioner.



6. In view of the aforesaid factual submissions and by taking note of the fact as allegation *qua* physical assault is appearing very much general and omnibus against the petitioner, coupled with the fact that other co-accused have already granted anticipatory bail by the learned coordinate Bench of this Court, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XVIII, Gaya/concerned court in connection with Fatehpur P.S. Case No. 596 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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