

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35278 of 2026**

Arising Out of PS. Case No.-401 Year-2024 Thana- PARBATTa District- Khagaria

Abhishek Yadav Son of Budho Yadav Resident of village - Muradpur, Ward  
No. 12, P.S.- Parbatta, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      25-05-2026              Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State through virtual mode.

2. The petitioner is apprehending his arrest in connection  
with Parbatta P.S. Case No. 401 of 2024 (G.R. No. 3130 of  
2024) dated 05.10.2024 registered for the offence punishable  
under Section/s 126(2), 115(2), 117(2), 109(1), 352, 351(2),  
303(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, while the Informant was going  
to his *basa* at Muradpur Diara, the petitioner along with 10 other  
named accused persons, armed with firearms, surrounded and  
abused him. Upon protest, Ganga Yadav @ Amit Kumar and  
Santosh Yadav allegedly assaulted the Informant with a gun and  
iron rod, causing injuries on his head and right hand. On hearing  
alarm, Vinit Yadav, Sumit Yadav and Piyush Kumar arrived to  
rescue him, whereupon the petitioner allegedly assaulted Vinit



Yadav by means of *lathi* causing injuries. It is further alleged that they took away Rs. 35,000/- from the pocket of Sumit Yadav before fleeing from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is next submitted that for the alleged occurrence which is said to have taken place on 10.09.2024, the F.I.R. has been lodged after an unexplained delay of twenty-five days. It is further submitted that the nature of injury caused upon the Informant's son is not corroborated with the allegation levelled in the F.I.R., while the injury has been found to be simple in nature. It is further submitted that the petitioner is a person of clean antecedent and has been maliciously implicated in this case, which has been registered by Informant after an unexplained delay of twenty-five days.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that the injury attributed to the petitioner has been found to be simple in nature and that the petitioner bears no criminal antecedent, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or



surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1<sup>st</sup>, Khagaria in connection with Parbatta P.S. Case No. 401 of 2024 (G.R. No. 3130 of 2024), subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the 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 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.

**(Ajit Kumar, J)**

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