

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41482 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- Tilak Rai Ka Hata District- Buxar

1. Siya Ram Yadav S/o Late Vishwanath Yadav R/o vill - Niyazipur, Lala Singh Ka Dera, P.S.- Tilak Rai Ka Hata, Distt.- Buxar, Bihar
2. Bhola Yadav S/o Vishavsaran Yadav R/o vill - Niyazipur, Lala Singh Ka Dera, P.S.- Tilak Rai Ka Hata, Distt.- Buxar, Bihar
3. Rahul Kumar Yadav @ Rahul Yadav S/o Harendra Yadav R/o vill - Niyazipur, Lala Singh Ka Dera, P.S.- Tilak Rai Ka Hata, Distt.- Buxar, Bihar
4. Deepak Kumar Yadav @ Deepak Yadav S/o Harendra Yadav R/o vill - Niyazipur, Lala Singh Ka Dera, P.S.- Tilak Rai Ka Hata, Distt.- Buxar, Bihar
5. Manish Thakur S/o Manoj Thakur R/o vill - Niyazipur, Lala Singh Ka Dera, P.S.- Tilak Rai Ka Hata, Distt.- Buxar, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-07-2026 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Tilak Rai Ka Hata P.S. Case No. 23 of 2026, lodged on 05.03.2026, under Sections 126(2), 115(2), 109, 352, 351(2), 3(5) of the BNS and under Section 27 of the Arms Act.



3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioners. All the accused persons assaulted the informant with lathi and danda and fired from the rooftop of the house by using firearms. Thereafter accused persons reached informant's house and assaulted his daughter causing head injury to her.

4. Learned Counsel for the petitioners submits that due to inadvertent mistake in the prayer portion the expression 'to the satisfaction of learned Judicial Magistrate, 1st Class, Court No.V, Buxar,' left to be typed. He seeks permission to add the same.

5. Learned Counsel for the petitioners is permitted to add the same during course of the day.

6. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners and informant are agnates and resident of same village. Disputes took place from both sides for which case and counter case is there. He submits that the allegations made in the FIR are general and omnibus in nature and no specific overt act has been attributed to the accused persons. He further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.



7. Learned APP for the State opposes the prayer for bail but fairly submits that for the same date and place of occurrence there are case and counter case between the parties.

8. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of **learned Judicial Magistrate, 1st Class, Court No.5, Buxar**, in connection with Tilak Rai ka Hata P.S. Case No. 23 of 2026.

9. And further condition that the Trial Court shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

Mkr./Rakesh/-

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