

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43692 of 2026

Arising Out of PS. Case No.-100 Year-2026 Thana- BARACHATTI District- Gaya

1. Manoj Yadav S/O Girija Yadav @ Girja Nandan Yadav Resident of Village- Sewai, P.S. Barachatti, District- Gaya.
2. Subhash Kumar @ Subhash Kumar Nirala S/O Girija Yadav @ Girja Nandan Yadav Resident of Village- Sewai, P.S. Barachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sanjay Kumar Sharma, Advocate
For the State	:	Mr. Pranav Kumar, APP
For the Informant	:	Mr. Awadhesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-07-2026 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 191(2), 191(3), 190, 126(2), 115, 117(2), 109, 76, 303(2), 133, 352 and 351(3) of the B.N.S..

3. As per prosecution case, on the alleged date and time of occurrence, all the F.I.R. named accused persons, including these petitioners, assaulted and tried to outrage the modesty of aunt of informant. It is further alleged that when informant and his family members went to rescue her, they were



also brutally assaulted.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation of assault is against other co-accused persons. So far as these petitioners are concerned, there is general and omnibus nature of allegations and no specific accusation of overt act has been levelled against them. As a matter of fact, the present case is counter-blast of Barachatti P.S. Case No. 99 of 2026 which was lodged by Petitioner No. 2 against informant and others, which is earlier in point of time and only with a view to save their skin from the aforesaid case, this false and concocted case has been lodged. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, case and counter-case between the parties and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.



7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Sherghati, Gaya in connection with Barachhatti P.S. Case No. 100 of 2026, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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