

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42927 of 2026

Arising Out of PS. Case No.-7 Year-2026 Thana- AMARPUR District- Banka

Rudo Yadav @ Rudeshwari Yadav @ Rudreshwari Yadav S/O Late Banarsi Yadav @ Banarsi Yadav R/O Village- Chhattar, P.S.- Fullidumar, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-07-2026 Heard Mr. Sanjay Kumar Jha, learned counsel for the petitioner and Mr. Surendra Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Amarpur (Fullidumar) P.S. Case No. 07/2026, F.I.R dated 03.01.2026, registered for the offences under sections 126(2),115(2),117(2),109(1),352,351 (2) & 3(5) of B.N.S.

3. As per the First Information Report, on 01.01.2026 at about 05.00 PM. when the informant was in his field, petitioner along with other accused persons came there and started abusing him. When he asked why they were abusing him, everyone came and started assaulted him with lathi, danda



and iron rod due to which he sustained head injury. Seeing the assault, his son raised alarm and rushed to his home and informed the family. When his brother Shankar Rai came to rescue him then the accused Tetar Yadav hit him on the head with iron rod, Khanti due to which he became unconscious and fell down. When his daughter-in-law came to rescue Shashi Yadav assaulted her with lathi on her head due to which she sustained head injury When her daughter who was pregnant also came to rescue them the accused Roushan Kumar started assaulting her with bricks, stones and lathi. All the accused persons assaulted him and his family with the intention of killing them and threatened to kill them.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He next submits that due to some petty dispute the present occurrence has taken place. Although the petitioner is named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against this petitioner rather specific allegation of assault is against co-accused, Tetar Yadav and Shashi Yadav and there is general and omnibus allegation against this petitioner.

5. The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner and the petitioner has clean antecedent, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarpur (Fullidumar) P.S. Case No. 07/2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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