

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52795 of 2026

Arising Out of PS. Case No.-13 Year-2026 Thana- JILEBIYA MOR District- Banka

1. Pravin Kumar @ Pravin Kumar Yadav Son of Gandhi Yadav Resident of Village- Birgaon, P.S.- Jilebiya More (Belhar), District- Banka
2. Gandhi Yadav S/o Late Rambhajju Yadav Resident of Village- Birgaon, P.S.- Jilebiya More (Belhar), District- Banka
3. Amit Kumar @ Amit Yadav Son of Gandhi Yadav Resident of Village- Birgaon, P.S.- Jilebiya More (Belhar), District- Banka
4. Satish Kumar S/o Ramswarup Prasad Yadav @ ramswarup Yadav Resident of Village- Birgaon, P.S.- Jilebiya More (Belhar), District- Banka
5. Ashok Yadav S/o Late Yogendra Yadav Resident of Village- Birgaon, P.S.- Jilebiya More (Belhar), District- Banka
6. Brahmdev Yadav S/o Late Rambhajju Yadav Resident of Village- Birgaon, P.S.- Jilebiya More (Belhar), District- Banka
7. Dharamvir Yadav @ Dharamvir Kumar Son of Gandhi Yadav Resident of Village- Birgaon, P.S.- Jilebiya More (Belhar), District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Jilebiya More P.S. Case No.13 of 2026 for allegedly having committed offences under Sections 126(2), 115(2), 74, 109(1), 117(2), 352 and 3(5) of the B.N.S.

3. As per the First Information Report, which has been



lodged on the basis of the written report submitted by the informant, to the effect that on the date of occurrence, the D.J. was being played in very loud volume near the house of the informant and when the same was objected to, all the accused persons, including the petitioners started abusing and using filthy language against the informant and his entire family members and told that they will not remove the D.J. and the D.J. will keep on playing. On the protest made by the informant, all the accused persons assaulted the informant and his family members, due to which many of the family members sustained injuries. The villagers called the police on Dial 112 and when police party came, then the informant and other injured were taken to Belhar Community Health Centre where they were treated and from there they were referred to Banka Hospital. Thereafter from Banka Hospital, they were referred to Bhagalpur, for better treatment.

4. The learned counsel for the petitioners submits that there was free fight in between the parties for playing D.J. and for the same occurrence, a First Information Report has been lodged by the petitioner no.2 bearing Jilebiya More P.S. Case No.14 of 2026. He submits that both the parties are residents of same village and from the First Information Report, it would



transpire that no specific allegation has been levelled against any of the petitioners or the accused person of assaulting any of the injured. Only general and omnibus allegation has been levelled against all the accused persons. He further submits that from perusal of the injury report of Dayanand Yadav, it would transpire that injured Dayanand Yadav has received fracture of the left nasal bone and a suspected fracture of right forearm of Sabita Devi has been found, however the opinion with regard to the said injuries were kept reserved. He further submits that so far the other injured are concerned, the injuries have been found to be simple in nature. The learned counsel for the petitioners further submits that even injuries have been sustained on behalf of the accused and the petitioners have got a clean antecedent.

5. *Per contra*, the learned A.P.P. appearing on behalf of the State opposes the prayer for grant of anticipatory bail to the petitioners and submits that there is allegation against all the petitioners and the co-accused persons that they assaulted the informant and his family members, due to which they sustained multiple injuries.

6. Having considered the rival submissions and after going through the records, it appears that there was a free fight in between the parties, for which case and counter case was



lodged. From the injury report, which has been brought on record by the petitioners by way of Annexure-P/2 series to the present anticipatory bail petition, it would transpire that so far the injured Dayanand Yadav is concerned, the doctor has recorded displaced fracture of left nasal bone with displaced fracture of the anterior wall of the left maxillary sinus and for which the opinion was kept reserved. Further, so far the other injured Sabita Devi is concerned, she had received fracture of right radius and ulna and so far the other injured persons are concerned, only pain and other injuries were found, however the injuries with regard to them were also kept reserved. It further appears from Annexure-P/4 series to the present anticipatory bail petition that from the side of the petitioners also, injuries have been sustained by different persons.

7. Taking into consideration the facts aforesaid as also the fact that although the injuries have been sustained by Dayanand Yadav and others due to assault by the petitioners and other co-accused persons, but there is no specific allegation of assault against any of the petitioners that who has assaulted whom, therefore let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees



Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Banka in connection with Jilebiya More P.S. Case No.13 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned 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 court concerned shall take steps for cancellation of their bail bonds. 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.

(Ritesh Kumar, J.)

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