

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63490 of 2025

Arising Out of PS. Case No.-686 Year-2024 Thana- HISUWA District- Nawada

1. Sarvan Yadav @ Sarvan Kumar @ Shravan Yadav @ Shravan Kumar Son of Late Viswnath Yadav Resident of Village- Khanpur Police Station- Hisua District- Nawada
2. Dipu Yadav @ Sumit Kumar son of Late Viswnath Yadav Resident of Village- Khanpur Police Station- Hisua District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-02-2026 Heard Mr. Nilendu Kumar Choudhary, learned counsel for the petitioners and Mr. Dr. Ajeet Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Hisua P.S. Case No. 686 of 2024, FIR dated 17.11.2024 registered for the offence punishable under Sections 126(2), 115(2), 117(2), 303(2), 109(1), 75(2) and 3(5) of B.N.S., 2023.

3. As per FIR, on 16.11.2024 at about 6:00 P.M. all the F.I.R. named accused persons, forming an unlawful assembly and being armed with iron rods, sharp weapons and sticks, in furtherance of their common object and intention to



kill, forcibly entered the house of the informant Rajkumar. Due to previous enmity arising out of suspicion that the informant had informed the police regarding seizure of their vehicle engaged in illegal sand business, the accused persons brutally assaulted the informant's elder brother, Mani Yadav. Sarwan Yadav (petitioner no. 1) first struck Mani Yadav on the head and forehead with an iron rod causing grievous head injuries. Thereafter, Bablu Yadav and Deepu Yadav (petitioner no. 2) repeatedly assaulted him with iron rods and sharp weapons, resulting in deep cut wounds, fracture injuries and loss of consciousness. It is also alleged that accused persons tried to outrage the modesty of the informant's sister-in-law. During the occurrence, Pushpa Devi dishonestly snatched a gold chain worth approximately Rs. 71,000/- from the informant's purse.

4. Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. It appears from the F.I.R. itself, that due to some petty dispute, the present occurrence took place. There is case and counter case between the parties. Although there is specific allegation against the petitioners that they have



assaulted to the brother of the informant namely, Mani Yadav but the injury report of the brother of the informant doesn't support the allegations as alleged in the F.I.R.

5. Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for anticipatory bail of the petitioners and submit that both the petitioners carry three more cases other than the present case, but fairly submits that they are on bail in all the cases, as mentioned in para-3 of the anticipatory bail petition.

6. Considering the aforesaid facts, let the petitioners, above named, in the event of his 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 learned Chief Judicial Magistrate, Nawada in connection with Hisua P.S. Case No. 686 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the following conditions:-

(I) Petitioners 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioners 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 petitioners have concealed their criminal antecedent, the court below 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.

(Rajesh Kumar Verma, J)

Ankit Kumar/-

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