IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75181 of 2026

CNR No. BRHC011059802026

Arising Out of PS. Case No.-193 Year-2026 Thana- Kadirganj P.S. District- Nawada

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1. Suryadev Yadav @ Suryadeo Kumar S/o Rameshwar Yadav @ Rameshwar Prasad R/o Village - Kadirganj, P.S - Kadirganj, District - Nawada
2. Rahul Gupta @ Rahul Kumar Gupta S/o Ramgopal Gupta @ Gopal Prasad Gupta @ Gopal Prasad R/o Village - Kadirganj, P.S - Kadirganj, District - Nawada

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shankar Kumar, Advocate
For the Opposite Party/s : Ms. Renuka Ratnakar (App 125)

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kadirganj P.S. Case No. 193 of 2026 instituted for the offence under Sections 126(2), 115(2), 117(2), 109, 352, 351(1) and 3(5) of the BNS.

3. The case of the prosecution, in short, is that when the father of the informant Umesh Yadav was returning from the river the FIR named accused persons were present there since before. Akash Kumar entered into an exchange of words

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thereafter Rakesh Kumar assaulted Umesh Yadav with an iron rod and Akash Kumar also assaulted him with a knife causing injuries. The FIR further contends that all the others assaulted him indiscriminately and as a result Umesh Yadav lost consciousness.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It has been submitted that the said dispute arose out of grazing of the paddy crop by Umesh and in that course there was a minor scuffle between the parties and nothing as alleged has taken place. This fact somehow gets corroboration from the injury report also which is Annexure P/2 in which the injury found is simple and there is no injury caused by a knife which shows that the informant was not an eyewitness and that is somehow also apparent from the FIR. Learned counsel for the petitioners has further submitted that there is no specific allegations against these petitioners and that the petitioners having allegation of assault have been granted bail by the learned Co-ordinate Bench of this Court vide Cr. Misc. No. 73756 of 2026. The case of these petitioners stand on better footing.

5. Learned APP for the State vehemently opposed the

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prayer of anticipatory bail. It has been submitted that both the petitioners are having one criminal antecedent each.

6. Having considered the rival submissions of the parties and in particular the fact that the injuries do not corroborate the allegations in the FIR and whatever injuries the father of the informant sustained were found to be simple in nature, let above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nawada/concerned Court, where the case is pending in connection with Kadirganj P.S. Case No. 193 of 2026 subject to the conditions as laid down under Section 482(2) of the BNSS.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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