IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77918 of 2026

CNR No. BRHC011075402026

Arising Out of PS. Case No.-209 Year-2026 Thana- KHAIRA District- Jamui

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1. Rohit Kumar Yadav Son of Sanjay Yadav Resident of Village- Andar Kurwa, P.S.- Khaira, District- Jamui
2. Sanjay Yadav Son of Late Ramtahal Yadav Resident of Village- Andar Kurwa, P.S.- Khaira, District- Jamui

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Sr. Advocate
Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 05-11-2026 Heard learned Senior Counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Khaira P.S. Case No.209 of 2026, FIR registered for the offence punishable under Sections 126(2), 115(2), 117(2), 190, 191(2), 109(1), 351(2), 352, 324(4) of the Bharatiya Nyaya Sanhita.

3. As per the FIR, the accused persons, including the petitioner herein came at the door of the informant, armed with stick and iron rod and started using filthy language and abusing the informant. When the informant came out of his

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house and told them that why they are abusing him, the accused persons assaulted him. When the family members of the informant came to save him, they were also assaulted by the accused persons.

4. Learned Senior Counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. By referring to the observations made in the impugned order, the nature of injury does not corroborate the allegations levelled in the FIR while the injuries have been found to be simple in nature and for similar allegations, the similarly situated co-accused, namely, Nakul Kumar has already been extended the privilege of anticipatory bail vide order dated 15.10.2026 passed in Cr. Misc. No.73590 of 2026. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case and that the similarly situated co-accused has already been extended the privilege of anticipatory bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/-

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(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui/Successor Court in connection with Khaira P.S. Case No.209 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative/ known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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