

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75951 of 2025

Arising Out of PS. Case No.-221 Year-2025 Thana- MOHANPUR District- Gaya

1. Kailu Yadav @ Kailu Kumar Son of Late Mukhi Yadav R/o Village - Mokari Haridas, P.S.- Magadh University, Dist. - Gaya.
2. Sonu Yadav Son of Baliram Yadav R/o Village - Mokari Haridas, P.S.- Magadh University, Dist. - Gaya.
3. Chandradeo Yadav @ Nanku Yadav Son of Narayan Yadav R/o Village - Mokari Haridas, P.S.- Magadh University, Dist. - Gaya.
4. Mahendra Yadav @ Shushil Yadav Son of Bhola Yadav R/o Village - Mokari Haridas, P.S.- Magadh University, Dist. - Gaya.
5. Manish Yadav @ Manish Kumar Son of Bhola Yadav R/o Village - Mokari Haridas, P.S.- Magadh University, Dist. - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-01-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 190, 126(2), 121(2), 132 and 109 of the BNS.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 10.06.2025 the police force reached Niranjana River to raid illegal sand mining and liquor, when 8-10 accused persons, on seeing the police, fled away, accordingly, the force was coming back to the police station with the seized tractor laden with



sand when Sand Mafia attacked the force causing injury, accordingly, they fled leaving the tractor and local people and Chawkidar subsequently, disclosed the name of the accused persons including the petitioners.

4. Learned counsel for the petitioners, at the outset, submits that Anuj Singh @ Anuj Kumar Singh had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 79851 of 2025 and the same came to be rejected by an order dated 08.12.2025 but then it is submitted that case of Anuj Singh @ Anuj Kumar Singh was rejected on the ground that he was implicated earlier in a case relating to organized crime. It is reiterated and submitted that petitioners are persons with clean antecedent, as such, the case of the petitioners is not akin or similar to the case of Anuj Singh @ Anuj Kumar Singh. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of assault is general and omnibus in nature. It is next submitted that petitioners came to be implicated at the instance of the Chawkidar but then it is not possible that Chawkidar with such precision could have named all the accused persons who were present at the place of occurrence. It is also submitted that even the injury suffered by the police personnel has been opined to be simple in nature.

5. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Mohanpur P.S. Case No. 221 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The learned trial court shall thereafter verify the criminal antecedents of the petitioners and if it is found that petitioners have antecedent of even one case in that event the provisional anticipatory bail shall not be confirmed with respect to those petitioners against whom criminal antecedents are found but if it is found that petitioners are persons with clean antecedent in that event the learned trial court shall confirm the provisional anticipatory bail bonds forthwith.

(Satyavrat Verma, J)

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