

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80924 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- BARH District- Patna

Madan Kumar @ Madan Yadav S/O Bhaso Prasad R/O Village- Budhani
Chak, Police Station- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-03-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 115(2),
126(2), 117(2), 303(2) and 3(5) of the BNS.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that the accused persons including the petitioner
intercepted him near a school and looted Rs.6,200/- along with a
chain worth Rs.60,000/-. It is further alleged that the accused
persons said that they have been identified, thus, assaulted the
informant by rod with an intent to kill him causing injury on head
and on alarm the accused fled away leaving their motorcycle.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the



informant. It is further submitted that petitioner and the informant are residing within the jurisdiction of the same police station, though in different villages. It is next submitted that on the date of occurrence, the petitioner was going through the village of the informant when an accident took place and thereafter the villagers chased him away and kept the motorcycle. It is also submitted that from perusal of the FIR and the seizure list, it would manifest that the same was instituted on 13.02.2025 when the occurrence is alleged to have taken place on 11.02.2025. It is further submitted that though the informant alleges that it is a case of road robbery but then it is submitted that it does not appear probable that petitioner would have indulged in such an act knowing that informant recognizes him as they reside within the same police station. It is next submitted that even the injury suffered by the injured has been opined to be simple caused by hard blunt substance. It is also submitted that if any intention of the petitioner would have been to loot the informant in that event the assault would have been brutal. It is submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner but then fairly submits after perusing the case diary that the injury suffered by the injured has



been opined to be simple in nature.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) 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 Barh P.S. Case No. 107 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. One of the bailors of the petitioner shall be his father, namely, Bhaso Prasad.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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