

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81937 of 2025

Arising Out of PS. Case No.-300 Year-2025 Thana- TURKAULIYA District- East
Champaran

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1. Raushan Kumar Yadav @ Raushan Kumar @ Saheb Kumar, Son of Sanjay Kumar @ Sanjay Yadav @ Sanjay Kumar Yadav;
 2. Yaswant Kumar, Son of Sanjay Kumar @ Sanjay Yadav @ Sanjay Kumar Yadav;
- Both are resident of Village - Shankar Saraiya, Ahir Toli, P.S. - Turkauliya,
Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Adv.
For the Informant	:	Mr. Karandeep Kumar, Adv.
For the State	:	Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-01-2026 The learned counsel for the petitioners, at the very outset, submits that he shall not be pressing the application of petitioner No. 1, namely, Raushan Kumar Yadav @ Raushan Kumar @ Saheb Kumar.

2. Accordingly, the application with respect to petitioner No. 1 stands dismissed as not pressed.



3. Heard the learned counsel for the petitioner No. 2, namely, Yaswant Kumar and the learned A.P.P. for the State.

4. The petitioner is apprehending his arrest in connection with Turkauliya P.S. Case No. 300 of 2025 registered for the offence(s) under Section(s) 191(2), 190, 126(2), 115(2), 118(1), 117(2) and 109(1) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

5. As per the prosecution case, the informant has alleged that the named accused persons including the petitioner along with unknown persons had assaulted the informant with various weapons. It has been specifically alleged that accused/Sanjay Yadav repeatedly assaulted the informant with *Dabila* and hammer due to which he received head injuries and fell down on the ground. It is further alleged that the relatives of the informant were given knife blows in the abdomen by one Raushan Kumar, causing injury to Akash Kumar while the accused/Yaswant Kumar (petitioner) assaulted Arjun Kumar with *Dabila*.

6. The learned counsel for the petitioner submits that there is an allegation of assault to one Arjun Kumar with *Dabila* by the petitioner on his hand, which is not the vital part of the body. It has further been submitted that the petitioner has



falsely been implicated in this case and no such occurrence as stated has ever taken place. The learned counsel refers to the injury report brought on record and from the perusal of the same, it would appear that the injuries sustained by aforesaid Arjun Kumar, whom the petitioner had assaulted, is said to be on non-vital part of the body and was also found to be simple in nature. It has further been submitted that there is case and counter case between the parties. It has lastly been submitted that the petitioner carries altogether three criminal cases against his name, the details of which have been brought on record by way of supplementary affidavit and the petitioner is on bail in all such cases.

7. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and has submitted that the petitioner and others have brutally assaulted the informant and others and, therefore, they should not be given the benefit of anticipatory bail.

8. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner No. 2, namely, Yaswant Kumar, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four



weeks from today, on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Turkauliya P.S. Case No. 300 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioner, the



petitioner is directed to appear before the Superintendent of Police, East Champaran at Motihari within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

9. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.
10. The application stands disposed off accordingly.

(Sourendra Pandey, J)

Praveen-II/-

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