

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88282 of 2025

Arising Out of PS. Case No.-123 Year-2019 Thana- SINGHESHWAR District- Madhepura

1. Chandeshwari Yadav S/o Late Ras Bihari Yadav R/o Village- Lalpatti, Ward No.01, P.S.- Singheshwar, District- Madhepura
2. Shashi Kumar Yadav S/o Sri Shailendra Yadav R/o Village- Lalpatti, Ward No.01, P.S.- Singheshwar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2026 Heard Mr. Shashi Bhushan Kumar, learned counsel for the petitioners and Mr. Harendra Prasad, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Singheshwar P.S. Case No. 123 of 2029, F.I.R. dated 12.07.2025 registered for the offences punishable under Sections 323, 341, 324, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. As per prosecution case, petitioners and co-accused persons are alleged to have assaulted the informant. When informant's brother and father came to save him, petitioner no. 2 assaulted with rod and khanti causing injury on the head of



informant's brother and also assaulted informant's father with rod causing injury on right hand of informant's father.

4. Learned counsel for the petitioners submit that the petitioners have clean antecedent and they have been falsely implicated in the present case. It appears from the F.I.R. that no specific allegation against the petitioners regarding assault to the injured persons but the Police after investigation submitted final form in favour of the petitioners but the learned court below has taken cognizance against the petitioners in a mechanical manner vide order dated 22.04.2020. Learned counsel further submits that thereafter parties have filed compromise petition in the year 2025.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedent, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Madhepura in connection with Singheshwar P.S. Case No. 123 of 2019,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioners tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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