

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89470 of 2025

Arising Out of PS. Case No.-103 Year-2024 Thana- KUMAR KHAND District- Madhepura

1. Bijay Yadav @ Vijay Kumar Son of Brij Mohan Yadav Resident of Village - Barahkurba, Ward No.- 15, P.S.- Kumarkhand (Bhatni O.P.), District - Madhepura
2. Tej Narayan Yadav Son of Krishna Mohan Prasad Yadav Resident of Village - Barahkurba, Ward No.- 15, P.S.- Kumarkhand (Bhatni O.P.), District - Madhepura
3. Surendra Yadav Son of Late Satya Narayan Yadav Resident of Village - Barahkurba, Ward No.- 15, P.S.- Kumarkhand (Bhatni O.P.), District - Madhepura
4. Manbodh Yadav @ Mabodh Kumar Son of Bindeshwari Yadav Resident of Village - Barahkurba, Ward No.- 15, P.S.- Kumarkhand (Bhatni O.P.), District - Madhepura
5. Ajay Modi @ Ajay Kumar Son of Yogendra Modi Resident of Village - Barahkurba, Ward No.- 15, P.S.- Kumarkhand (Bhatni O.P.), District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Adv.
For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. After some arguments, counsel for the petitioners
seeks permission to withdraw the instant anticipatory bail
petition as against the petitioner no.2, namely, Tej Narayan



Yadav.

3. Permission is accorded.

4. Now, the bail application is confined only to petitioner nos. 1, 3, 4 and 5 respectively.

5. The petitioners are apprehending their arrest in connection with Kumarkhand (Bhatni O.P.) P.S. Case No. 103 of 2024 dated 06.04.2024 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 384, 354, 379, 307, 448, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

6. As per prosecution case, on 05.04.2024 at about 12:00 PM, accused Bijay Yadav (petitioner no.1) along with other FIR-named accused persons, armed with deadly weapons, arrived at the informant's house. It is alleged that Bijay Yadav assaulted the informant's father with the butt of a rifle causing head injury. Co-accused Sushil Yadav allegedly fired a shot and assaulted Bhagwat Mukhiya with the butt of a gun causing injury to his palm, while Tej Narayan Yadav allegedly assaulted Narayan Mukhiya with the butt of a gun causing head injury. Pramod Thakur is also alleged to have fired indiscriminately. It is further alleged that the accused entered into the informant's house and took away Rs. 11,000/- in cash along with ornaments.



7. Learned counsel for the petitioners submits that the allegation of causing injury with the butt of the rifle is against the petitioner no.2 whose anticipatory bail application has already been withdrawn. So far as petitioner nos. 1, 3, 4 & 5 are concerned, the allegation is general and omnibus in nature. Counsel for the petitioners fairly submits that the petitioner no.1 has one antecedent registered under Sections 147, 149, 341, 323, 504, 506 of the I.P.C. which is bailable in nature whereas the petitioner nos. 3, 4 & 5 have clean antecedent. The petitioners undertake that they will not commit the same offence in future and in case an allegation is being made against them and the same is found to be true, the police officials will be at liberty to take appropriate steps against them.

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

9. Having heard learned counsel for the parties and considering the fact that the injuries said to have been sustained by the injured do not corroborate the allegations made in the F.I.R. and that the specific allegation of overt act is against petitioner no. 2, whose anticipatory bail application has already been withdrawn, while the allegations leveled against petitioner nos. 1, 3, 4, and 5 are general and omnibus in nature, this Court



is inclined to grant privilege of anticipatory bail to them.

10. Accordingly, let the above named petitioner nos. 1, 3, 4 & 5, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Kumarkhand (Bhatni O.P.) P.S. Case No. 103 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. 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 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)

rishi/-

U		T	
---	--	---	--

