

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91241 of 2025

Arising Out of PS. Case No.-158 Year-2025 Thana- RAJAON District- Banka

1. Akhilesh Kumar S/o- Suvash Yadav @ Subhash Yadav R/O Village- Malti PS- Rajan District- Banka
2. Pintu Kumar S/o- Suvas Yadav @ Subhash Yadav R/O Village- Malti PS- Rajan District- Bank
3. Suvas Yadav @ Subhash Yadav S/o- Upendra Yadav R/O Village- Malti PS- Rajan District- Banka
4. Upendra Yadav S/o- Late Mahavir Yadav R/O Village- Malti PS- Rajan District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-02-2026 Heard Mr. Vibhakar Kumar, learned counsel appearing on behalf of the petitioners and Mr. Anuj Kumar Shrivastava, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Rajaun P.S. Case No. 158/2025 registered for the offence(s) punishable under Sections 126(2), 115(2), 351(2), 352 of the BNS and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, after an encroachment drive, the petitioners abused and attacked the informant with a firearm and sharp weapons, causing injuries to



him and his family.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. The petitioners and the informant are agnates. There is general and omnibus allegation leveled against the petitioner nos. 1 and 3, however, specific allegation is against the petitioner nos. 2 and 4. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR, there is general and omnibus allegation leveled against the petitioner nos. 1 and 3, I am of the opinion that petitioner nos. 1 and 3, having clean antecedent, have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner nos. 1 and 3, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs.



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending / Concerned Court in connection with Rajaun P.S. Case No. 158/2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner nos. 1 and 3 and if it is found that the petitioners nos. 1 and 3 are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

9. So far as, the petitioner nos. 2 and 4 are concerned, considering the direct allegation against them, I am not inclined to enlarge the petitioner nos.2 and 4 on pre-arrest bail.

10. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

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