

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90554 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- SALAIYA District- Aurangabad

=====

Hari Yadav S/O Late Sukhari Yadav R/O Village- Gajraj Bigha, P.S- Salaiya,
Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Advocate
For the State : Mr. Bharat Bhushan, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-01-2026 Heard Mrs. Mukul Kumari, learned counsel for

the petitioner and Mr. Bharat Bhushan, learned APP
representing the State.

2. The petitioner is apprehending his arrest in connection with Salaiya P.S. Case No. 37 of 2025 registered for the offence under Sections 126(2), 115(2), 351(2), 352, 109, 74 and 3(5) of the B.N.S., lodged on 15.03.2025 by the informant, Asha Devi.

3. In the year 2025 (21st Century) alleging the lady as ‘Dayan’, accused resorted to assault. This unfortunate incident has been recorded/alleged in the present F.I.R.

4. As per the prosecution story, the informant recorded that alleging her to be a ‘Dayan’ and cause the illness of informant’s nephew, the accused assaulted causing injuries to



her as also her husband and father-in-law beside the brothers-in-law.

5. Learned counsel for the petitioner submits that role of order giver has been assigned to him, there is case and counter case, exaggerated F.I.R. has been lodged. Last submission is that without accepting the allegation or outcome of the present petition, the petitioner intend to pay Rs.10,000/- to the informant as a mark of respect to be paid by Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond.

6. Learned APP opposes the prayer submitting that as per the allegation, he is the order giver which resulted into the present case.

7. Considering the submissions of the parties, as recorded above, we are in the 21st Century, if the nephew is/was ill, instead of providing him proper treatment, alleging a lady to be 'Dayan', assault theory has come causing injuries. Though the incident is unfortunate, the role of the petitioner has come as an order giver only an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject



to payment of Rs.10,000/- to the informant as undertaken by the learned counsel for the petitioner on instruction through the Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of the bail bond before the Court and the same shall be handed over to the informant after checking the credentials.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Aurangabad, in connection with Salaiya P.S. Case No. 37 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner 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 his/her bail bond by the Trial Court itself;

(iii) the petitioner 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 shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

vinayak/-

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

