

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91867 of 2025

Arising Out of PS. Case No.-174 Year-2025 Thana- NAWADA MUFFASIL District- Nawada

Balram Yadav @ Balram Raj S/o Shri Yadav @ Sri Yadav R/o Village -
Gondapur, P.S - Nawada, District – Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Muffasil P.S. Case No. 174 of 2025 registered for the offences
under Sections 126(2), 115(20, 352, 351(20, 303(2), 109, 3(5) of
the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the allegation against the
petitioner is that the named accused persons and others have
assaulted the informant and his friend while they were going on a
motorcycle and had also looted the mobile phone.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case.
It has further been submitted that he is not named in the FIR and
during the course of the investigation, his name has surfaced as a



friend of the named accused, Rajindra Prasad. It has next been submitted that till date no test identification parade has been conducted in order to ascertain the identity of the petitioner and no incriminating article whatsoever has been recovered. It has also been submitted that from perusal of the case diary, it would be evident that the informant and others were in an inebriated condition, and it was noticed that they had fallen down from the motorcycle and no such incident of assault had taken place. It has lastly been submitted that the petitioner has one criminal case against his name.

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

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Muffasil P.S. Case No. 174 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of 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.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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