

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.412 of 2026

Arising Out of PS. Case No.-431 Year-2025 Thana- HARNAUT District- Nalanda

1. Pintu Yadav S/O Late Ramji Yadav R/O Village- Kichani, P.S- Harnaut, Distt.- Nalanda.
2. Virendra Singh @ Birind Yadav S/O- Late Sital Yadav R/O Village- Kichani, P.S- Harnaut, Distt.- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Raj Kishor Prasad, Adv.
For the State	:	Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 19-02-2026 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Harnaut P.S. Case No. 431 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 351(2), 109(1), 191(2), 190 of BNS, 2023.

3. As per prosecution case, on 15.09.2025 altercation was going on between the informant and co-accused Samar Yadav, meanwhile petitioners and others also came. It is alleged that co-accused Rahul Yadav and Rajeev assaulted upon the head of informant's father-in-law (Arun Yadav) by means of iron rod as a result of which informant's father-in-law sustained



head injury and fell on the ground and after that all the accused persons assaulted him by means of lathi and danda. It is further alleged that when informant came to rescue, co-accused Rahul Kumar assaulted upon the head of informant by means of rod as a result of which informant also sustained head injury.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case due to village politics. He further submits that there is no specific overt-act of assault against the petitioners rather allegations are general and omnibus in nature. Specific allegation of assault is against co-accused Rahul Yadav and Rajeev. He further submits that petitioner no. 2 bears no criminal antecedent whereas petitioner no. 1 has one criminal antecedent in which he is on bail, as orally submitted by learned counsel for the petitioners. He further submits that injury of informant/Radha Devi is simple in nature whereas injury of Arun Yadav is grievous in nature. There is case and counter case between the parties. He further submits that there is one day delay in lodging the FIR as the alleged occurrence took place on 15.09.2025 and FIR was lodged on 16.09.2025 and no plausible explanation has been given regarding the said delay.



5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that petitioners are named in the FIR and hence, they cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, there is no specific overt-act of assault against the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 Additional Chief Judicial Magistrate-1, Biharsharif, Nalanda in connection with Harnaut P.S. Case No. 431 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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