

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1210 of 2026

Arising Out of PS. Case No.-252 Year-2025 Thana- ROH District- Nawada

1. RAMASHISH YADAV S/O KASHI YADAV R/o vill - Partapur, P.S.- Roh, Distt.- Nawada
2. Shivu Yadav S/o Kashi Yadav R/o vill - Partapur, P.S.- Roh, Distt.- Nawada
3. Kashi Yadav S/o Late Balkishun Yadav R/o vill - Partapur, P.S.- Roh, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-02-2026 Heard Mr. Sunil Kumar, learned counsel for the petitioners and the State.

2. The petitioners are apprehending arrest in connection with Roh P.S. Case No. 252 of 2025 instituted under Sections 126(2), 115(2), 109, 74, 325(4), 305, 352, 351(2), 3(5) of the Bhartiya Nayay Sanhita, 2023 lodged on 01.08.2025 by the informant, Bipin Yadav.

3. As per the prosecution story, the informant alleged that on the point of partition in the family, the accused persons, two of whom, are full brothers while petitioner no.3 is father assaulted him. The allegation against Ramashish Yadav is of giving iron rod blow on the head causing injury. They also



assaulted his wife and took away the cash amount/jewellery.
This led to the FIR.

4. Learned counsel for the petitioners submit that so far as the petitioner no.2, Shivu Yadav and petitioner no.3, Kashi Yadav are concerned, no allegation has been made against them. Regarding, petitioner no.1, Ramashish Yadav, though allegation of assault is there by the brother informant, learned Sessions Judge has recorded that the case diary do not have injury report.

5. Last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner no.1, Ramashish Yadav intends to contribute Rs.5000/- to the informant through Demand Draft issued by the local State Bank of India branch/Any Nationalized Bank to be submitted before the concerned Court to be handed over to the informant after checking the credential.

6. Learned APP opposes the prayer submitting that Ramashish Yadav has assaulted his own brother.

7. Considering the submissions of the parties and taking into account the observation of the learned Sessions Judge that the injury report is not available in the case diary, none of them have criminal antecedent, in that background, this



Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs. Rs.5000/- by petitioner no.1, Ramashish Yadav to the informant through Demand Draft issued by the local State Bank of India branch/Any Nationalized Bank to be submitted before the concerned Court to be handed over to the informant after checking the credential.

8. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Roh P.S. Case No. 252 of 2025 to the satisfaction of learned Judicial Magistrate-1st Class, Nawada subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

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

(ii) the petitioners 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 petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioners 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;

(v) the petitioners 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.

(Rajiv Roy, J)

Ravi/-

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

