

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.984 of 2025

Arising Out of PS. Case No.-545 Year-2022 Thana- BARACHATTI District- Gaya

1. Satyendra Yadav @ Satyendra Prasad, aged about 46 years (Male) S/o- Late Bifan Yadav,
2. Niranjana Yadav @ Niranjana Kumar, aged about 25 years (Male), S/O- Satyendra Yadav,
3. Birendra Yadav @ Birendra Kumar, aged about 28 years (Male), S/o- Ram Kumar Yadav,
4. Pinki Devi @ Bindiya Devi, aged about 44 years (Female) W/o- Satyendra Yadav
5. Devanti Devi, aged about 66 years (Female) W/o- Ram Kumar Yadav All Residents of Village- Deshpura PS- Barachatti, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-02-2025 Heard Mr. Krishna Prabhat, learned counsel

appearing on behalf of the petitioners and Mr. Madhura Nand

Jha, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Barachatti P.S. Case No. 545 of 2022, registered for the offence punishable under Sections 341, 342, 323, 354(B), 307, 504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioners along with other co-accused persons, had assaulted the



informant and her family member by means of lathi-danda, rod, Khanti, Tangi, due to which, they had sustained several injuries over different parts of their body. Further allegation against the accused persons including the petitioners is that they had also tried to outrage the modesty of the daughter of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. No specific allegation has been alleged against the petitioners, rather, the same is general and omnibus. There is case and counter case between the parties and due to land dispute, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury to the family members of the informant without intention. Petitioners have clean antecedent. On these grounds, 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. Considering the rival submissions made on behalf of the parties, as well as, the fact that there is case and counter case between the parties and due to land dispute, an altercation took place and both the sides entered into fierce fight and in the



self-defence, petitioners may have caused some injury to the family members of the informant without intention. Petitioners have clean antecedent. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, 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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IInd, Sherghati at Gaya, in connection with Barachatti P.S. Case No. 545 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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