

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13132 of 2025

Arising Out of PS. Case No.-244 Year-2024 Thana- PASRAHA District- Khagaria

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1. Rajeev Yadav S/o- Abhyas Yadav Village- Bandehra, P.S. Pasraha, DIstt. Khagaria
 2. Jagjeevan Yadav @ Jaggan Yadav S/o- Sikandar Yadav Village- Bandehra, P.S. Pasraha, DIstt. Khagaria
 3. Sintu Kumar @ Sinku Kumar S/o- Lalo Yadav Village- Bandehra, P.S. Pasraha, DIstt. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Pasraha P.S. Case No. 244 of 2024 instituted for the offence under Sections 126(2), 115(2), 117(2), 109, 304, 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that all the accused persons, including the petitioners were ambushed with deadly weapons and while informant was going to his house, they all stopped him and started abusing. When the informant resisted, all accused persons assaulted him with lathi & danda. It is



specifically alleged that petitioner No.2, namely, Jaggan Yadav assaulted the informant with pistol on his head due to which he sustained head injury.

4. It has been submitted on behalf of the petitioners that the petitioner Nos. 1 & 2 are in custody since 13-11-2024 whereas petitioner No.3 is in custody since 10-11-2024. Petitioner No.1 bears one criminal antecedent, while petitioner No. 2 bears two criminal antecedents, whereas petitioner No.3 is stated to be man of clean antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. There is general and omnibus allegation against the petitioner Nos. 1 & 3. There is no specific allegation attributed to them. It is alleged that petitioner No.2 has assaulted the informant by means of pistol due to which he sustained injury. There is admitted land dispute between the parties, which is evident from the FIR itself. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances



of the case, period of custody of the petitioner Nos. 1 & 3 as also there being no direct allegation against petitioner Nos. 1 & 3 and charge sheet being submitted, this Court is inclined to grant bail to the petitioner Nos. 1 & 3.

8. Let the petitioner Nos. 1 & 3, namely, ***Rajeev Yadav & Sintu Kumar @ Sinku Kumar***, respectively, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pasraha P.S. Case No. 244 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

9. So far as petitioner No. 2, namely, Jagjeevan Yadav @ Jaggan Yadav is concerned, taking into account the role of the petitioner as being assailant, who assaulted the informant by means of pistol, causing injury to informant, this Court, at this stage, is not inclined to grant bail to petitioner No.2, namely,



Jagjeewan Yadav @ Jaggan Yadav. Accordingly, prayer for grant of bail to petitioner No. 2, namely, ***Jagjeewan Yadav @ Jaggan Yadav*** is hereby ***rejected***.

10. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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