

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12910 of 2025

Arising Out of PS. Case No.-39 Year-2024 Thana- MADHEPUR District- Madhubani

1. Ganga Prasad Yadav son of Sitral Yadav @ Shital Yadav Resident of Village- Agargarha Police Station- Marauna District -Supaul
2. Sushil Yadav son of Sitral Yadav @ Shital Yadav Resident of Village- Agargarha Police Station- Marauna District -Supaul
3. Rameshwar Yadav Son of Sitral Yadav @ Shital Yadav Resident of Village- Agargarha Police Station- Marauna District -Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s :	Mr.Khurshid Anwar, APP
For the Informant :	Mr. Ramchandra Jha Raman, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-06-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Madhepur P.S. Case no.39 of 2024 registered under sections 307, 341, 147, 148, 323, 324, 325 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the nine named accused persons including the three petitioners herein came variously armed with *farsa*, *bhala* etc surrounded the informant and others and resorted to brutal assault on the head and other parts of the body as described in the FIR. Thereafter, the accused persons escaped while the injured were taken to the primary health center for treatment.



4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case because of land dispute between the parties. The allegations are general and omnibus in nature. Referring to the allegations levelled in the FIR, it is submitted that the injury report (Annexure-P/4) does not support the prosecution case. The only grievous injury found on the injured is on a non-vital part of the body. The petitioners are in custody since 6.1.2025, 6.1.2025 and 24.12.2024 respectively.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioners are named in the FIR but there is direct allegation against them of having assaulted with *farsa* on a vital part of the body. Each of the three petitioners have five cases lodged against them from before. The cause of occurrence is land dispute between the parties.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the contents of the injury report according to which the only grievous injury has been found to be caused on the right hand middle finger of the injured Prabhash Kumar together with the petitioners having



remained in custody since 6.1.2025, 6.1.2025 and 24.12.2024 respectively and charge-sheet having been submitted in the case, all the three petitioners are directed to be enlarged on bail in connection with Madhepur P.S. Case no.39 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Jhanjharpur, Madhubani.

(Partha Sarthy, J)

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