

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13808 of 2025

Arising Out of PS. Case No.-103 Year-2024 Thana- HARPUR District- Munger

Mirtyunjay Yadav @ Mritunjay Yadav @ Munilal Yadav S/o- Late
Muneshwar Yadav @ Nunsari Yadav @ Late Nuneshwar Yadav Resident of
Village- Durmutta, P.S.- Harpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Braj Bhushan, Advocate
For the State : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 126(2), 115(2), 118, 109,
308(3), 61(2), 351(2) and 3(5) of the B.N.S..

3. The prosecution case, in brief, is that on 15.10.2024
at about 6 PM, this petitioner, along with other F.I.R. named
accused persons, assaulted son of informant by means of iron
rod and pistol. It is further alleged that when mother and brother
of the informant intervened to rescue, they were also assaulted
and on the orders of co-accused Rinku Devi, this petitioner fired
from his pistol which hit son of informant. Reason for the
occurrence is alleged to be construction of PCC Road with



government funds on the land which this petitioner and other accused persons claim to be their own land.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. As a matter of fact, the informant's side was aggressor. The present case is counter-blast of Harpur P.S. Case No. 102 of 2024 which was lodged, earlier in point of time, by the wife of this petitioner against informant and others wherein it is alleged that all the accused persons, including informant of the present case, arrived at her house carrying arms and other lethal weapons and brutally assaulted this petitioner and his family members and one Manish Kumar fired from his pistol as a result of which, son of this petitioner received gun shot injury. Charge-sheet has already been submitted and petitioner is in custody since 16.10.2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of accusation, case and counter-case between the parties and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Munger in connection with Harpur P.S. Case No. 103 of 2024.

(Prabhat Kumar Singh, J)

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