

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12091 of 2025

Arising Out of PS. Case No.-155 Year-2024 Thana- KALUAHI District- Madhubani

Dhanvir Kumar Yadav @ Dhanbir Yadav Son of Ganga Yadav Resident of
Village- Balua Tol, PS- Kaluahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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

ORAL ORDER

4 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kaluahi
P.S. Case No. 155 of 2024 instituted for the offences under
Sections 126(2), 127(2), 115(2), 117(2), 110, 303(2), 352,
351(2), 3(5) of the BNS.

3. Prosecution case, in short, is that, on the alleged
date and time of occurrence, the petitioner was illegally
constructing a house on the informant's land. When the
informant protested, the petitioner along with his associates
assaulted him with deadly weapons and also snatched his gold
hanumani.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that there is a delay of seven



days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. From perusal of the FIR it appears that petitioner is the order giver. The only allegation against the petitioner is that he assaulted the informant with iron rod. Learned counsel further submitted that, as a matter of fact, there is admitted land dispute between the parties. There is case and counter-case between the parties, the counter version of the case lodged by co-accused Saroj Yadav against the informant and others bearing Kaluahi P.S. Case No. 154 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.01.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that police after investigation submitted charge-sheet under Sections 126(2), 127(2), 115(2), 117(2), 109(1), 352, 351(2), 3(5) of the BNS.

6. Considering the aforesaid facts and circumstances of the case, case and counter-case between the parties, charge-



sheet already being submitted as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kaluahi P.S. Case No. 155 of 2024, subject to the following conditions:

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

(II) The petitioner 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 petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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