

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16517 of 2025

Arising Out of PS. Case No.-251 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. Kapildev Yadav S/o Late Surju Yadav @ Late Suryanarayan Yadav, R/o vill
- Govindpur, ward no. 8, P.S.- Sahebpurkamal, Distt.- Begusarai
 2. Nikhil Yadav @ Nikhil Kumar @ Nikil Kumar, S/o Kapildev Yadav R/o vill
- Govindpur, ward no. 8, P.S.- Sahebpurkamal, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No 1, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection
with Sahebpurkamal P.S. Case No. 251 of 2024 registered for
the offences punishable under Sections 115(2), 117(2), 126(2),
109, 351(2), 352, 3(5) of the BNS and Section 27 of the Arms
Act.

3. Allegedly on the fateful day, all the FIR named
accused persons, including the petitioners came at the *Bathan* of
the informant and started abusing her. They also made firing in
order to terrorize and further set free the buffalo of the
informant. It is specifically alleged that the petitioner no.1



assaulted the informant by means of lathi whereas the petitioner no.2 assaulted the daughter-in-law of the informant due to which they sustained injuries.

4. Learned counsel for the petitioners contended that both the parties are close agnates and, in fact, on account of a land dispute, they entered into a free fight resulting into case and counter case bearing Sahebpurkamal P.S. Case No.254/2024 instituted by the daughter-in-law of the petitioner no.1 against the informant and other persons. Moreover, there is a long-standing dispute between the parties resulting into free fight. It is further contended that both the petitioners bear clean antecedent and they undertake that they will fully cooperate in the proceedings of the Court.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the parties are close agnates, coupled with the fact that there is no injury on record as also the fair antecedent of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.



10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Begusarai in connection with Sahebpurkamal P.S. Case No. 251 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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