

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19134 of 2025

Arising Out of PS. Case No.-244 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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1. Ashok Yadav, aged about 50 yrs male S/O - Late Bindeshwari Yadav
 2. Rupesh Kumar Yadav @ Rupesh Kumar, aged about 27 years male, S/O - Sanjay Yadav
 3. Rudal Yadav @ Sunil Yadav @ Sunil Kumar, aged about 37 yrs male, S/O- Ashok Yadav
 4. Bittu Yadav @ Bittu Kumar, aged about 23 years male S/O Naresh Yadav, all Resident of village - Belwara Aini Tola, Matkhoha, P.S.- Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate
For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2025 Heard Mr. Nafisu Zzoha, learned counsel appearing on behalf of the petitioners and Mr. Nand Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bakhtiyarpur P.S. Case No. 244 of 2024, registered for the offence punishable under Sections 341, 323, 325, 307, 379, 384, 427, 447, 504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioners along with other accused persons, had assaulted the brother and mother of the informant due to non-fulfillment of demand of



ransom causing injury.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. There is case and counter case between the parties. He further submitted that due to land dispute an altercation took place between the parties and in course of the same, the petitioners, in their self defence, may have caused some injuries on the informant side, without intention. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the fact that there is case and counter case between the parties and due to land dispute an altercation took place between the parties and in course of the same, the petitioners, in their self defence, may have caused some injuries on the informant side, without intention, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of



four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Saharsa, in connection with Bakhtiyarpur P.S. Case No. 244 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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