

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23517 of 2025

Arising Out of PS. Case No.-132 Year-2024 Thana- CHANAN District- Lakhisarai

Vikky Yadav @ Vikash Yadav @ Bikash Yadav S/O Bideshi Yadav R/O Vill.-
Maliya, P.S.- Chanan, Dist.- Lakhisarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Adv. Mr. Umesh Prasad, Adv. Ms. Harshita, Adv. Ms. Vandana Rani, Adv.
For the State	:	Mr. Gulnar Begum, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 21-05-2025 Heard Mr. Brajesh Sahay, learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 126(2), 115(2), 352, 351(2), 109 of the B.N.S.

3. The First Information Report has been lodged by the father of the petitioner making an allegation upon his son Vikky Yadav, the present petitioner, that he came in an inebriated condition and started hurling abuses upon the informant and upon protest, he assaulted the informant on his head by means of lathi due to which he got injured. It has further been alleged that when the villagers assembled at the place of occurrence, two rounds of firing was also made from a pistol however, nobody got injured.



4. Learned counsel for the petitioner submits that the petitioner is the son of the informant and some dispute between the father and son has been drawn out of proportion and the allegation of assault by means of lathi has been levelled against the present petitioner. As a matter of fact, there was no assault by the petitioner and the informant had himself fallen down on the earth owing to scuffle and sustained one injury on his head which according to the injury report, which has been annexed as Annexure-2 to the application, would show that the injury is simple caused by hard and blunt object. It is also submitted that it would be very clear from the facts of the case and also from the injury received as also from the fact that there is no repetition of blow, that no case under Section 109 of the B.N.S. would be made out in the present facts and circumstances and further the very allegation of the petitioner even being armed with firearm and non-usage of the same also further substantiates the theory that there could not have been any intention to kill any one. The petitioner is in jail since 29.12.2024 and charge-sheet has already been submitted.

5. Learned APP for the State has opposed the application for bail on the ground that petitioner has seven criminal antecedents. In response to the same, learned



counsel for the petitioner submits that the petitioner is on bail in all the cases.

6. Considering the facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chanan P.S. Case No. 132 of 2024, subject to the conclusion that the petitioner would cooperate in the trial.

(Soni Shrivastava, J)

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