

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24761 of 2025

Arising Out of PS. Case No.-32 Year-2024 Thana- AKBARPUR District- Nawada

1. Ramo Yadav @ Ramu Yadav @ Ramo Prasad Yadav @ Ramo Pd. Son of Late Prameshwar Yadav Resident of Village - Kundilpur (Bandarkole), P.S. - Akbarpur, District - Nawada
2. Sajan Yadav @ Sanjay Yadav Son of Vijay Yadav Resident of Village - Kundilpur (Bandarkole), P.S. - Akbarpur, District - Nawada
3. Awadh Yadav @ Awadh Prasad Yadav Son of Late Prameshwar Yadav Resident of Village - Kundilpur (Bandarkole), P.S. - Akbarpur, District - Nawada
4. Upendra Yadav Son of Late Chando Yadav Resident of Village - Kundilpur (Bandarkole), P.S. - Akbarpur, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Birendra Kumar, Advocate Mr. Kumud Kishore, Advocate
For the State	:	Mr. Uday Chand Prasad, APP
For the Informant	:	Mr. Ram Prawesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-06-2025 Heard learned senior counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 147, 148, 149, 295, 323, 307, 354B, 452, 436, 376, 511, 504 and 506 of the Indian Penal Code



and Section 27 of the Arms Act.

3. As per prosecution case, on 25.02.2023 at about 2:00 PM, mother-in-law of informant was brutally assaulted by all the accused persons for which Akbarpur P.S. Case No. 129 of 2023 was lodged. It is further alleged that again on 26.02.2023 at 10:00 PM, all the accused persons, including these petitioners, having armed with gun, pistol, *lathi*, *gada* and iron rod surrounded the house of the informant and co-accused Navin Yadav entered into the house of the informant and tried to commit rape with informant and tore her blouse and co-accused Kaushal Yadav started teasing the informant's sister-in-law and thereafter, all the accused persons set the house of the informant on fire due to which 1000 bundle of straw including bed, goat and paddy valued Rs. 15,000/- were burnt. It is further alleged that in the meantime, co-accused Rajesh Yadav damaged the idol of Goddess Durga and calendar and thereafter, accused persons fled away .

4. It is submitted by learned senior counsel for the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, both parties are *gotias* and next door neighbour and there is pending land dispute between them. It is further submitted that the alleged



occurrence took place on 26.02.2023 in the night but Complaint Case No. 244 of 2023 was lodged in the Court below on 27.03.2023, i.e., after delay of one month and the instant F.I.R. was lodged on 29.01.2024 for which there is no plausible explanation which itself creates doubt over the entire prosecution. The victim in her statement recorded under Section 164 Cr.P.C. has not alleged any wrong against these petitioners. There are general and omnibus allegations and there is no specific accusation of overt act against these petitioner. It is further submitted that similarly situated co-accused persons have already been granted bail by this Hon'ble Court vide order dated 09.05.2025 passed in Cr. Misc. No. 6102 of 2025. Charge sheet has already been submitted and petitioners are in custody since 02.01.2025.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the general and omnibus nature of accusation, claim based on parity and period of custody, the prayer for grant bail of to the petitioners is allowed.

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



thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Akbarpur P.S. Case No. 32 of 2024.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

