

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26884 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- Shivnarayanpur District- Bhagalpur

1. Amar Yadav Son of Tetar Yadav Resident of Village - English, Jageshwarpur, P.S. - Shivnaranpur, District - Bhagalpur
2. Rupesh Yadav Son of Tetar Yadav Resident of Village - English, Jageshwarpur, P.S. - Shivnaranpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 30-07-2025 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Shivnarayanpur P.S. Case No. 107 of 2024, instituted for the offences punishable under Sections 126(2), 115(2), 117(2), 118(2), 109, 303(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioners along with other co-accused persons have abused and assaulted informant and others and took away other articles kept in the house.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the allegation levelled against the petitioner is general and omnibus in nature. There is case and counter case between the parties. It is further submitted that both the parties have sustained injuries. The petitioners are in custody since 02.12.2024. Petitioner no. 1 has got one criminal antecedent and petitioner no. 2 has got two criminal antecedents in which they are on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners and submits that there is specific allegation against the petitioners of abusing and assaulting the informant and others. It is further submitted that the injuries sustained by the injured are grievous in nature. Hence, the petitioners do not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, case and counter case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.



7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shivnarayanpur P.S. Case No. 107 of 2024.

(Rudra Prakash Mishra, J)

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