

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24186 of 2025

Arising Out of PS. Case No.-138 Year-2024 Thana- Mufassil District- Khagaria

1. Bamdeo Yadav S/o- Tuna Yadav @ Tunna Yadav, R/o Village- Awash Board PS-Miffasil, Dist- Khagaria.
2. Ghogho Yadav @ Abhyas Yadav S/o- Ramvilash Yadav, R/o Village- Awash Board PS-Miffasil, Dist- Khagaria.
3. Yogendra Yadav @ Yogendra Kumar Yadav S/o- Kesho Yadav @ Ketho Yadav, R/o Village- Awash Board PS-Miffasil, Dist- Khagaria.
4. Ranjit Yadav S/o- Jagdish Yadav, R/o Village- Awash Board PS-Miffasil, Dist- Khagaria.
5. Sajjan Yadav @ Sajan Yadav S/o- Chandradeo Yadav, R/o Village- Awash Board PS-Miffasil, Dist- Khagaria.
6. Bishwa Yadav @ Bisho Kumar Yadav S/o- Jagnarayan Yadav @ Jay Narayan Yadav, R/o Village- Awash Board PS-Miffasil, Dist- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajit Kumar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 01-05-2025 Heard learned Advocate for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Muffasil P.S. Case No. 138 of 2024 registered for the offences punishable under Sections 127(1), 127(2), 115(2), 109, 303(2), 352, 351(2) and 3/3(5) of the B.N.S. and Section 27 of the Arms Act.

3. Allegedly, while the informant was engaged in



plucking vegetables in his field, in the meantime, one Brahamdev Yadav entered along with his she-buffalo, in the informant's field, which was duly objected by him, whereupon all the FIR named accused persons came there and brutally assaulted the informant, his son and nephew.

4. Learned counsel for the petitioners submitted that from the FIR, it is evident that there is allegation of causing firing against petitioner no.3, however, it did not hit anyone. It is further alleged that petitioner Ranjit Yadav assaulted the informant by means of iron rod and also snatched a golden locket. Further allegation has been levelled against the petitioner Sajjan Yadav, who snatched Rs.500/-. The petitioner Bishwa Yadav assaulted the informant by means of lathi; thereafter, omnibus nature of allegation has been levelled that all of them assaulted the son and nephew of the informant. The entire allegation falls to the ground for the simple reason, the injury report suggests that they are simple in nature caused by hard and blunt substance. In fact, the alleged occurrence took place on a trifle arising out of grazing of the cattle resulting into scuffle between the parties. Moreover, both the parties are the villagers knowing each other very well but due to mounting pressure upon the accused persons, the present FIR has been lodged. It is



lastly contended that the petitioners undertake that they shall not indulge in such kind of crime in future and fully cooperate in the proceedings of the Court.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the petitioners no.3 and 4 bear one criminal antecedent whereas the petitioner no.5 bears two criminal antecedent.

6. Regard being had to the submissions made on behalf of the parties and considering the genesis of the occurrence, coupled with the simple nature of injury, 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 C.J.M., Khagaria in connection with Muffasil P.S. Case No. 138 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S, 2023 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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