

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23171 of 2025

Arising Out of PS. Case No.-763 Year-2024 Thana- AMARPUR District- Banka

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1. Anita Devi W/O Prameshwar Yadav @ Parmeshwar Yadav
 2. Prameshwar Yadav @ Parmeshwar Yadav S/O Dhaneshwar Yadav
 3. Dhaneshwar Yadav S/O Late Makhan Yadav
All residents of Village- Manjhli Kusaha, P.S.- Fullidumar, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-04-2025 Heard learned counsel appearing on behalf of the
petitioners and the learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with
Amarpur (Fullidumar) P.S.Case No.763 of 2024 registered for
the offences punishable under Sections 126(2), 115(2), 110, 76,
303(2), 352, 351(2) and 3(5) of the BNS.

3. As per the allegation made in the FIR, both the
parties entered into fierce fight due to the land dispute, in which
two persons of informant side sustained injury, namely, Tulsi
Yadav and Pradeep Yadav and the specific allegation of assault
is against Nitish Kumar Yadav.

4. Learned counsel appearing on behalf of the



petitioners submitted that the petitioner nos.1 and 2 are mother and father of said co-accused, Nitish Kumar Yadav and against the petitioner no.3, there is general and omnibus allegation. Petitioners and the informant are agnates. Petitioners have clean antecedent.

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

6.Considering the nature of the allegation made in the FIR, as well as, the specific allegation is alleged against the co-accused Nitish Kumar Yadav, who is the son of petitioners no.1 and 2, it appears that for the said reason, petitioners no.1 and 2 have been made accused in the present case . So far petitioner no.3 is concerned, there is general and omnibus allegation against him and there is case and counter case between the parties arising out of same incident, in which the petitioners in their self-defence may have caused some injuries on the person of the injured without any intention. The petitioners 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/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM,



Banka/concerned court, in connection with Amarpur (Fullidumar) P.S.Case No.763 of 2024, subject to conditions as laid down under Section 482(2) of BNSS of 2023

7. The learned district court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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