

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27942 of 2025

Arising Out of PS. Case No.-687 Year-2024 Thana- HARSIDHI District- East Champaran

1. Sanjay Yadav S/o- Rajeshwar Yadav Village- Kritpur English Ps- Harsidhi Dist- East Champaran
2. Parmanand Kumar S/o- Rajeshwar Yadav Village- Kritpur English Ps- Harsidhi Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Parmanand Kumar S/o- Rajeshwar Yadav Village- Kritpur English Ps- Harsidhi Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners seek bail in connection with Harsidhi P.S. Case No. 687 of 2024 registered for the alleged offences under Sections 126, 115(2), 117(2), 303(2), 76, 109, 351, 3(5) of B.N.S.

3. As per prosecution case, the petitioners and other co-accused persons who were variously armed assaulted the informant and his family members causing a number of injuries to them. The allegation against the petitioner Sanjay Yadav is that he gave Farsa on the head of the informant and petitioner Parmanand Yadav gave Farsa blow on the head of the son of the



informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The FIR has been lodged after delay of one day for which there is no satisfactory explanation. The present case has been instituted after procuring false injury report and the injury reports of the informant and his son show simple injury. There is no repetition of blow and for this reason no offence under Section 109 B.N.S. is made out against the petitioners. The parties are agnates and quarrel took place over land dispute regarding pathway. Learned counsel further submits that the petitioners are having antecedent of altogether 8 cases and they are on bail in 6 cases. The petitioners are in custody since 17.12.2024 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioners. Learned APP submits that the specific allegation against the petitioners is for causing injury to the informant and his son.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the simple nature of injury of the informant and his son and further considering the submission of charge sheet and period of



custody of the petitioners, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Motihari, East Champaran/concerned Court in connection with Harsidhi P.S. Case No. 687 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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