

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30217 of 2025

Arising Out of PS. Case No.-112 Year-2024 Thana- DHANGAI District- Gaya

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Jagdish Yadav son of Late Nanhak Yadav @ Nanku Yadav Resident Of
Village- Divaniyan, P.S.- Dhangai, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr.Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 24-06-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for
the offences under Sections 126(2), 115(2), 191(2), 191(3),
190, 109, 352, 351(2), 351(3) of B.N.S. and later on Section
103(1) of B.N.S. was added.

3. As per the prosecution case, the informant has
alleged that all the named accused persons including the
petitioner in conspiracy had approached the informant and
they started assaulting father, brother and uncle of the
informant. It is further alleged that co-accused Guddu
Yadav assaulted the father of the informant with iron rod
resulting in grievous injury. It is next alleged that all the



accused persons again assaulted Kailash Yadav and Baban Yadav.

4. Learned counsel for the petitioner submits that petitioner is an old man of 63 years and has falsely been implicated in this case. Learned counsel further submits that there is admittedly land dispute between the parties and for the same incident there is case and counter case. It is next submitted that both sides have received injury and in fact even the petitioner had received head injury caused by the father of the informant and was later on treated at Gaya. Learned counsel further submits that there is general and omnibus allegation against all the named accused persons including the petitioner. It is lastly submitted that the petitioner has clean antecedent and is in custody since 26.11.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner was a member of the mob and is accused of assaulting the father of the informant.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the



petitioner is in custody since 26.11.2024, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dhangai P.S. Case No. 112/2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the
afore-mentioned order shall not be delayed
for purpose of or in the name of
verification.

7. It is made clear that the observations, if any,
made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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