

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28594 of 2025

Arising Out of PS. Case No.-27 Year-2024 Thana- CHIHARA District- Jamui

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1. Ayodhya Yadav @ Ayodhi Yadav S/O Saryug Yadav R/o - Suggigambhar, P.S - Chihara, District - Jamui
 2. Nageshwar Yadav S/O Saryug Yadav R/o - Suggigambhar, P.S - Chihara, District - Jamui
 3. Jaleshwar Yadav S/O Saryug Yadav R/o - Suggigambhar, P.S - Chihara, District - Jamui
 4. Pawan Yadav S/O Saryug Yadav R/o - Suggigambhar, P.S - Chihara, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Chihara P.S. Case No. 27 of 2024, dated 16.07.2024, registered for the offences punishable under Sections 191(2), 191(3), 126(2), 115(2), 118(1), 109(1), 74, 352 and 351(2) of the B.N.S., 2023.

3. As per allegation, on account of dispute between the informant and petitioners side in regard to outflow of the raining water, altercation took place between the parties leading



to injury on the person of the informant side.

4. Learned counsel for the Petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that informant and petitioners' side are agnates and on account of land dispute, altercation took place, causing injury on both sides. He further submits that injury causing informant's side is simple in nature, as per medical opinion, which shows that offence under Section 109(1) of BNS is not made out, at most offence under Section 118 of BNS is made out which is bailable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their



furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Chihara P.S. Case No. 27 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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