

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31866 of 2025

Arising Out of PS. Case No.-170 Year-2024 Thana- BARAHAT District- Banka

1. Ramesh Yadav S/O Garbhi Yadav R/O Village- Barri Bishhar, P.S-Barahat, District- Banka.
2. Foot Narayan Yadav S/O Garbhi Yadav R/O Village- Barri Bishhar, P.S-Barahat, District- Banka.
3. Sushil Yadav S/O Garbhi Yadav R/O Village- Barri Bishhar, P.S-Barahat, District- Banka.
4. Raja @ Subhit Yadav S/O Foot Narayan Yadav R/O Village- Barri Bishhar, P.S-Barahat, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajib Ranjan Jha, Adv.
For the Opposite Party/s : Mr.Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Barahat P.S. Case No. 170 of 2024 registered for the alleged offences under Section 126(2)/115(2)/117(2)/74/303(2)/352/ 351(2)/3(5) of the B.N.S.

03. As per prosecution case, petitioners and other co-accused persons who were variously armed came to the house of the informant and assaulted the informant and his family members. They also resorted to brick batting and damaged the tiles of the roof of the house of the informant.



04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The present case is counter blast of Barahat P.S. Case No. 169 of 2024 which was lodged by Ramesh Yadav, petitioner no. 1 against the informant and others. The petitioner Ramesh Yadav was assaulted by a *khanti* on his head causing profused bleeding. The occurrence took place in the background of land dispute between the parties as informant in this case is the eldest in the family but he does not want to give the share to the petitioners and others. The informant has been forcibly repairing the roof of the house which is in the share of the petitioners. It was case of free fight between the two groups without any intention to cause death. Charge sheet has been submitted in this case. The petitioners are having not criminal antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the case and its counter version which is earlier in time and further considering possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees



Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of C.J.M., Banka in connection with Barahat P.S. Case No. 170 of 2024, subject to the condition laid down under Section 482(2) of the B.N.S.S and other 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

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