

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30835 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- KHIJARSARAI District- Gaya

1. Lalan Yadav Son of Dwarika Yadav Resident of village - Bakthar, P.S.- Khizarsarai (incorrectly typed as Khizersarari in the impugned order), District - Gaya
2. Birendra Yadav Son of Shiv Yadav Resident of village - Bakthar, P.S.- Khizarsarai (incorrectly typed as Khizersarari in the impugned order), District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Adv.
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 11-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Khizarsarai P.S. Case No. 41 of 2025 dated 24.02.2025 registered for the offences punishable under Sections 191(2), 126(2), 115(2), 352, 125(a), 109(1) of B.N.S., 2023.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have surrounded the informant and started abusing, on protest, all the accused persons assaulted him with fists, slaps, lathi and bricks due to



which he sustained injury and when his father came to save him he was also assaulted by the accused persons due to which he also sustained injury and blood started oozing from his head and nose.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. There is case and counter-case between the parties. It is further submitted that there is no specific allegation against the petitioners. As per injury report, the injury sustained by the informant (Rakesh Kumar) is simple in nature whereas the injury received by his father is stated to be grievous in nature. The petitioners have no concern with the alleged occurrence. The petitioner no.1 has four criminal antecedents and the petitioner no.2 has three criminal antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 26.02.2025. The co-accused person has already been granted regular bail by this Court vide order dated 05.05.2025 passed in Cr. Misc. No. 25490 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Khizarsarai P.S. Case No. 41 of 2025, with a condition:-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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