

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30578 of 2025

Arising Out of PS. Case No.-596 Year-2024 Thana- RAMNAGAR District- West Champaran

1. Harinder Yadav @ Harendra Yadav S/o Late Sukhdev Yadav Resident of Vill.- Mudila, P.S.- Ramnagar, Distt.- West Champaran
2. Pankaj Kumar S/o Dhruv Yadav Resident of Vill.- Badgawn, P.S.- Gobardhana, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Milind Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Vijay Kumar Singh No.1, Advocate
For the State	:	Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-07-2025 Heard Mr. Manoj Kumar, learned counsel for the petitioners and Mr. Anil Prasad Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending thier arrest in connection with Ramnagar P.S. Case No.596 of 2024, F.I.R. dated 26.12.2024 for the offences punishable under Sections 191(2) (3), 190, 126(2), 329(3), 115(2), 109(1), 103(2), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant Mukendra Yadav reported that a dispute over a drain led to the accused assaulting his family members. His brother Pintu Yadav, along with other relatives, sustained injuries, and Pintu Yadav



died after being taken to the Primary Health Centre. After the death, the accused also attacked the family at the hospital.

4. Learned counsel for the petitioners submits that petitioner No.1 carries one more case other than the present one but the Police after investigation submitted the final report in favour of the petitioner. Petitioner No.2 has clean antecedent. The allegation, as alleged in the F.I.R., is false and fabricated. Although, the petitioners are named in the F.I.R., but from a bare perusal of the F.I.R., it appears that there is no specific allegation of any assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons, including the petitioners.

5. The learned Additional Public Prosecutor as well as learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners with a common intention along with the other accused persons have brutally assaulted the brother of the informant and he has died on the spot.

6. Considering the aforesaid facts and circumstances, there is no specific allegation of any assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons, including



the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Bagaha, West Champaran, in connection with Ramnagar P.S. Case No. 596 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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