

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31117 of 2025

Arising Out of PS. Case No.-245 Year-2023 Thana- BANKA District- Banka

1. Tara Devi, W/o Laldhari Yadav @ Lal Bihari Yadav @ Laldhari, Resident of Village- Lilawaran, P.S. and Dist.- Banka
2. Rita Devi @ Rupa Devi, W/O Pawan Yadav, Resident of Village- Lilawaran, P.S. and Dist.- Banka
3. Niwash Yadav @ Niwash Kumar, S/O Laldhari Yadav @ Lal Bihar Yadav @ Laldhari, Resident of Village- Lilawaran, P.S. and Dist.- Banka
4. Kanchan Yadav @ Kanchan Kumar Yadav, S/O Laldhari Yadav @ Lal Bihar Yadav @ Laldhari, Resident of Village- Lilawaran, P.S. and Dist.- Banka
5. Laldhari Yadav @ Lal Bihar Yadav @ Laldhari, S/O Amir Yadav, Resident of Village- Lilawaran, P.S. and Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-05-2025 Heard Mr. Praveen Kumar, learned Advocate for the

petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Banka P.S. Case No. 245 of 2023 registered for the offences punishable under Sections 341, 323, 324, 506 and 307/34 of the Indian Penal Code.

3. While the informant was in her house, in the meanwhile, all the accused persons, including the petitioners, came there and threatened her to drink faced matter. It is further



alleged that accused persons later on pulled her out of the house and co-accused Subhash Yadav assaulted her by means of sword. In the meanwhile, in order to rescue her, when her son Anil Yadav came, he was also assaulted by means of sword over his head, due to which he sustained injuries and fell down.

4. Learned Advocate for the petitioners submitted that so far the petitioners are concerned, there is no specific allegation of causing any injury to the informant and her son. The present case is nothing, but counter blast of Banka P.S. Case No. 244 of 2023, which came to be lodged on the earlier point of time. Both the parties are close agnates and on account of family feud both the parties entered into a free fight, resulting into some unfortunate injury, however that has not been attributed to the petitioners. The petitioners are the persons of fair antecedent and undertake that they will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioners are actively participated in causing injury to the informant and her son.

6. Regard being had to the submissions made on behalf of the parties and considering the factum of case and



counter case and omnibus nature of allegation, coupled with the fair antecedent, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 245 of 2023, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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