

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.31946 of 2025

Arising Out of PS. Case No.-487 Year-2024 Thana- BABUBARHI District- Madhubani

Kumar Sanu @ Kumar Shanu @ Kumar Shanu Yadav R/o Ram Karan Yadav  
R/o Vill- Khojpur Khargipatti, P.S.- Babubarhi, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 33181 of 2025

Arising Out of PS. Case No.-487 Year-2024 Thana- BABUBARHI District- Madhubani

Ram Khelawan Yadav S/O Sri Sutkun Yadav R/O Village- Chhotki Rauahi,  
P.S- Babubarhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 31946 of 2025)

For the Petitioner/s : Mr.Ajay Kumar Thakur, Advocate  
Ms.Vaishnavi Singh, Advocate

For the Informant : Mr.Subhash Kumar Jha, Advocate

For the State : Mr.Mohammad Sufyan, APP

(In CRIMINAL MISCELLANEOUS No. 33181 of 2025)

For the Petitioner/s : Mr.Ajay Kumar Thakur, Advocate  
Ms.Vaishnavi Singh, Advocate

For the Informant : Mr.Subhash Kumar Jha, Advocate

For the State : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY  
ORAL ORDER

2      20-05-2025                      Heard learned counsel for the petitioners, learned  
counsel for the informant and learned Additional Public  
Prosecutor for the State.

2. The petitioners seek bail in connection with  
Babubarhi P.S. Case No. 487/2024 registered for the offences



under Sections 191(2), 191(3), 190, 109, 103(1), 303(2), 352 and 351(2) of Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant namely Rameshwar Yadav gave a fardbeyan that his elder brother (Ram Prasad Yadav) was milking the cow when suddenly the accused persons named in the FIR arrived at the scene. They began abusing and subsequently assaulting his brother, resulting in a head injury caused by one co-accused Feku Yadav. It has further been stated that when the informant's nephew Mukesh tried to intervene, he was assaulted by Santosh Yadav with a *farsa* on his head. All the named accused persons who were variously armed with weapons, attacked the entire family. It was also stated that Ram Khelawan Yadav struck on the head of the informant with *farsa* and Kishore Yadav also attacked the informant's brother with an iron weapon while he was lying on the ground.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Learned counsel further submits that there is no allegation of overt act against the petitioner namely Kumar Shanu. From perusal of the injury report, it is clear that the injury sustained does not support the prosecution case and allegation upon the



petitioner Ram Khelawan Yadav. It is lastly submitted that the petitioners have clean antecedent and they are in judicial custody since 22.01.2025.

5. Learned counsel for the State as well as learned counsel for the informant have jointly opposed the prayer for bail of the petitioners. Learned counsel for the informant submits that there is specific allegation against the petitioners that they have assaulted the informant, his family members and ultimately causing death of the informant's brother, who had sustained grievous injuries inflicted by the petitioners and other accused persons. Learned APP for the State has supported the submissions made by the learned counsel for the informant.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the allegations levelled against the petitioners are general and omnibus in nature, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) on each of them with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Madhubani in connection with Babubarhi P.S. Case No. 487/2024 subject to the conditions :-

- a. One of the bailors of the petitioners shall be their close relative.
- b. The petitioners shall remain physically



present in Court on each date of the trial.

- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to the cancelled by the Court concerned.
- d. 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 their 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 aforementioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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