

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34695 of 2025

Arising Out of PS. Case No.-412 Year-2024 Thana- NATHNAGAR District- Bhagalpur

1. Sikander Yadav S/o Prasadi Yadav R/o vill - Godidaspur, P.S.- Nathnagar, Distt.- Bhagalpur
2. Dharmendra Yadav S/o Sikander Yadav R/o vill - Godidaspur, P.S.- Nathnagar, Distt.- Bhagalpur
3. Badal Yadav S/o Sikander Yadav R/o vill - Godidaspur, P.S.- Nathnagar, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-06-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioners they are in custody in connection with Nathnagar P.S. Case No.412 of 2024, lodged on 22.11.2024, under Section 126(2), 115(2), 109(1), 118(1), 303(2), 352, 351(2) and 3(5) of B.N.S., 2023.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioners. It



has been alleged in the FIR that all accused persons in connivance with each other surrounded the informant and assaulted them with iron rod due to which injury has been caused. Allegation of outrage the modesty as well as snatching the Gold Jewellery is also alleged.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that from the bare perusal of FIR it become crystal clear that the informant and petitioners are the agnates and cause of dispute has also assigned in the FIR itself. Counsel further submits that on petty issues scuffling took place among the family members due to which the injury was caused from both side. Counsel further submits that dispute is absolutely relating the land and with a view to make the case grave specific allegation has been alleged. Counsel further submits that petitioner Nos.1 and 3 have two criminal antecedents and petitioner no.2 has one antecedent and they are in custody since 11.01.2025. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that it is true that scuffling took place but by the said scuffling the injury was caused with



regard to the said injury and criminal antecedent detailed description has been made in the rejection order by the Session Court, Bhagalpur.

6. Upon the specific quarry of the Court that whether charge has been framed or not Counsel for the petitioners submits that till date charge has not been framed.

7. In the present facts and circumstances of this case, let the petitioners, above named, be released on bail, **after framing of charge, if not framed**, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Nathnagar P.S. Case No.412 of 2024, subject to the conditions as laid down U/s 480(3) of the BNSS, 2023.

(Dr. Anshuman, J)

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