

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33138 of 2025

Arising Out of PS. Case No.-185 Year-2023 Thana- KUMAR KHAND District- Madhepura

1. Sanjay Yadav son of Late Rameshwar Yadav Village- Haribola, Ward no. 06, Op Bhatni, Ps- Kumarkhand, Dist- madhepura
2. Sitaram Yadav Son of Late Rasik Lal yadav village- Khurda, Ps- Kumarkhand, dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepak Prasad Sinha, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP
For the Informant	:	Mr. Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-05-2025 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 Kumarkhand (Bhatni O.P.) P.S. Case No. 185/2023 registered for the offences under Sections 147, 148, 149, 323, 324, 307, 379, 354A, 504, 506 of Indian Penal Code.

3. As per the prosecution case, the petitioners along with others, armed with deadly weapons, entered the house of the informant and with the intent to kill started assaulting the persons from the informant-side. During the assault, the uncle of the informant namely Nageshwar Prasad Yadav and his cousin



Santosh Kumar were attacked. Subsequently, other family members who intervened and tried to save them were also assaulted.

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 general and omnibus allegation of assault against all the named accused persons and no specific attribution has been given to the present petitioners who are admittedly aganets and there was a personal dispute between the parties. Learned counsel further submits that there is case and counter case with regard to the same incident. It is further submitted that the injuries sustained by the family of informant are simple in nature. It is lastly submitted that the petitioner no. 1 has two criminal antecedents and petitioner no. 2 has four criminal antecedents and they are languishing in custody since 26.12.2024.

5. Learned APP for the State as well as learned counsel for the informant have opposed the prayer for bail of the petitioners and submits that the informant's side were brutally assaulted by the petitioners. Learned counsel for the informant further submits that the petitioners have suppressed their criminal antecedent.



6. Considering the aforesaid facts and circumstances of the case and taking into account that there is general and omnibus allegation against both the petitioners, 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 Additional Chief Judicial Magistrate-III, Madhepura in connection with Kumarkhand (Bhatni O.P.) P.S. Case No. 185/2023 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. The petitioners shall not approach the informant or any of the family members or the victim girl to either coerce or threaten during the pendency of the trial.
- d. 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 be cancelled by the court concerned.
- e. 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)

tusharika/-

U		T	
---	--	---	--

