

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37783 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- FULKAHA District- Araria

Bhagwat Yadav, S/o Late Girdhari Yadav, Resident of Village- Manikpur,
Ward No. 09, P.S.- Fulkaha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gopal Kumar Jha, Advocate
For the State	:	Mrs. Suman Kumari Singh, APP
For the Informant	:	Mr. Rohit Kumar, Advocate
		Mr. Sanjay Kr. Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In this present case, the petitioner seeks bail in connection with Fulkaha P.S. Case No. 10 of 2025 registered for the offences under Sections 126(2), 115(2), 118(1), 109, 76, 303(2), 329(3), 329(4), 352, 351 and 3(5) of the BNS.

3. As per prosecution case, in the background of land dispute, the petitioner and other co-accused persons armed with spade, spear, iron rod and *lathi* came to the doors of the informant and started demolishing the wall being constructed by the informant. Petitioner gave *farsa* blow on the head of the niece of the informant causing injury. Further co-accused



assaulted other family members of the informant and they also took away a gold chain, four quintal of iron rods and 500 bricks from the house of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is case and counter case between the parties and for the occurrence of same day, Fulkaha P.S. Case No. 12 of 2025 has been lodged by co-accused Jagdish Yadav. Learned counsel further submits that the petitioner is stated to have assaulted the victim girl but no sharp cut injuries have been found rather lacerated wound of size 2x1/4 inch on both side of frontal head has been found and fracture of parietal bone has been observed in C.T. scan and injuries stated to be grievous caused by hard and blunt substance. This falsifies the allegation that the petitioner gave *farsa* blow to the niece of the informant. Learned counsel further submits that land dispute is admitted between the parties. Petitioner is in custody since 12.03.2025 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. as well as learned counsel appearing on behalf of informant oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that



the injury has been caused on vital part of the body and could be proved fatal.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no repetition of blow and further considering absence of alleged injury on the victim and also considering the clean antecedent of the petitioner coupled with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Araria/concerned court in connection with Fulkaha P.S. Case No. 10 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the



petitioner will be liable to be cancelled by
the court concerned.

(Arun Kumar Jha, J)

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