

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34907 of 2025

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

Amresh Kumar Yadav @ Amresh Yadav S/o Jagdish Prasad Yadav @ Jagdish
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 Opposite Party/s : Ms.Suman Kumari Singh, APP

For the Informant : Mr. Rohit Kumar, Advocate

Mr. Sanjay Kumar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 20-08-2025 Heard learned Counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner who apprehends arrest in connection
with Fulkaha P.S. Case No. 10 of 2025 lodged on 13.01.2025,
for the offences punishable under sections 126(2), 115(2),
118(1), 109, 76, 303(2), 329(3), 329(4), 352, 351, 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the F.I.R. has been lodged
against 14 named accused persons including the petitioner. It is
alleged therein that on the date of occurrence, all the F.I.R.-
named accused persons, including the petitioner, came to the



house of the informant variously armed and started demolishing the boundary wall. On protest being raised, they assaulted the informant and his family members. It is specifically alleged that the petitioner assaulted the informant's brother-in-law (bhaisur) on the head with a spade, as a result of which he sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner has a clean antecedent. It is further submitted that the present case is a counterblast to Fulkaha P.S. Case No. 12 of 2025 lodged by a co-accused against the informant and others on 13.01.2025. The petitioner has been falsely implicated in this case due to political rivalry.

5. Learned APP for the State vehemently opposes the prayer for bail.

6. Learned counsel for the informant also vehemently opposes the prayer for bail and submits that there is a direct allegation against the petitioner, and the order of the learned Trial Court reflects that the injury caused by the petitioner is grievous in nature.

7. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of



the petitioner in connection with Fulkaha P.S. Case No. 10 of 2025, pending before the learned Judicial Magistrate, 1st Class, Araria, is hereby rejected.

(Dr. Anshuman, J)

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