

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32630 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- KHIJARSARAI District- Gaya

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1. Sahendra Yadav S/O Late Ruplal Yadav Resident of Village- Aima Chouki, Police Station- Khizersarai, Dist.- Gaya
 2. Sunila Devi W/O Sahendra Yadav Resident of Village- Aima Chouki, Police Station- Khizersarai, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Khizersarai P.S. Case No. 13 of 2025, dated 21.01.2025, lodged under Section 126(2), 115(2), 352, 309 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, an FIR has been lodged against four named accused persons, including the present petitioners, alleging that they assaulted the informant with a lathi, causing him to become unconscious, and injuries were caused to his head, mouth, nose, and leg.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that the cause of dispute is mentioned in the FIR



itself, that PCC work was ongoing on the road, and due to the flowing of water, a dispute started and a scuffle took place. He further submits that the police did not lodge the FIR from the petitioners' side, so the petitioner filed a complaint case, while the police lodged a case based on the informant's side. He also submits that none of the parties are criminals and the injuries sustained are simple in nature.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that the injuries are simple in nature.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, 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 Judicial Magistrate, 1st Class, Gaya, in connection with Khizersarai P.S. Case No. 13 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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