

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34500 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

1. Arjun Yadav @ Arjun Kumar Yadav S/O Shivbachan Yadav R/O Village- Khajuri Purab Tola, Ward No 02, P.S.- Kuchaikote, District- Gopalganj
2. Golu Yadav @ Golu Kumar S/O Shivbachan Yadav R/O Village- Khajuri Purab Tola, Ward No 02, P.S.- Kuchaikote, District- Gopalganj

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Indrajeet Bhushan, Advocate
For the State	:	Mr. Bishweshwar Ram, APP
For the Informant	:	Mr. Lokesh Kumar Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 27-06-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.1.

3. Permission is accorded.

4. Accordingly, this application is dismissed as withdrawn in respect of petitioner no.1 only.

5. Now, this application survives only for petitioner no.2.

6. The petitioner apprehends his arrest for the offences punishable under Sections 126 (2), 115 (2), 118 (1), 109 (1), 352 (2), 351 and 3 (5) of the B.N.S.



7. The prosecution case, as disclosed in the F.I.R, is that the accused persons including the petitioner no.2 had surrounded the informant's family and started abusing them. When the son of the informant objected to the same, one Shivbachan Yadav caught him from behind and upon his order, Sumit Yadav, Ravikant Yadav along with co-accused, Arjun Yadav gave knife blow on the abdomen of the son of the informant due to which he sustained cut injury and started bleeding. It is further alleged that Golu Yadav kicked the informant's son after he fell down.

8. Learned counsel for the petitioner submits that as a matter of fact there was a free fight among the child of both the parties just few days prior to the occurrence for which a panchayati was convened and the matter was settled. Learned counsel for the petitioner further submits that the son of the informant was in drunken state, abusing and misbehaving with the villagers whereafter some villagers had manhandled with him due to which he sustained injuries. Only on account of previous dispute between the parties, the present petitioner has been made accused in this case. He further submits that the F.I.R. has been lodged after lapse of 14 hours after due thought and deliberation. So far as the allegation against petitioner no.2



is concerned, the same remains confined to kicking the informant's son due to which he fell down. Hence, there is no allegation of any assault by any weapon rather he is not even said to be armed as per the first information report.

9. Learned APP for the State opposed the prayer for bail.

10. Taking into consideration the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/ successor Court in connection with Kuchaikot P.S. Case No.73 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Soni Shrivastava, J)

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