

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34325 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- PATKHAULI District- West Champaran

Bhavan Yadav S/o Late Bhola Yadav R/o Village- Narwal, Barwal Police
station- Patkhauli, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advoate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 03-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No. 199 of 2025, CIS No. 100 of 2025 arising out of Patkhauli P.S. Case No. 03/2025 lodged on 09.01.2025 under Sections 126(2), 115(2), 352, 109(1), 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to the prosecution's case, the present F.I.R. has been lodged against the petitioner alleging that he assaulted the informant's brother with a spade, resulting in a head injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that a perusal of the F.I.R. clearly reveals that the



dispute between the petitioner and the informant's brother arose out of agricultural work. It is also submitted that although the incident is alleged to have occurred on 07.01.2025, but the F.I.R. was lodged belatedly on 09.01.2025, and no explanation for the delay has been explained. Furthermore, the F.I.R. itself indicates that the informant is not an eyewitness to the incident; rather, the complaint is based on hearsay material. The petitioner is in custody since 20.02.2025 and is accused in only one other criminal case, in which he has already been granted bail.

5. Learned counsel for the informant vehemently opposes the prayer for bail, submitting that there is a specific allegation against the petitioner of assaulting the informant's brother with a spade, resulting in a head injury. It is further submitted that the injured was taken to the hospital, and his treatment is still ongoing.

6. Learned counsel for the State also opposes the prayer for bail but concedes that the F.I.R. was lodged with delay.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/-



(Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of learned District and Additional Sessions Judge III, Bagaha, West Champaran, in connection with Sessions Trial No. 199 of 2025, CIS No. 100 of 2025 arising out of Patkhauri P.S. Case No. 03/2025, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Ashwini/-

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