

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37456 of 2025

Arising Out of PS. Case No.-280 Year-2023 Thana- MURLIGANJ District- Madhepura

1. Bhuto Yadav S/o- Late Nageshwar Yadav Village- Kolhaipatti W.No-4, Ps- Murliganj Dist- Madhepura
2. Saroop Yadav S/o- Late Nageshwar Yadav Village- Kolhaipatti W.No-4, Ps- Murliganj Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-06-2025 Heard Mr. Uday Chand Prasad, learned counsel

appearing on behalf of the petitioners and Mr. Rabindra Kumar,

learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection
with Murliganj P.S. Case No. 280 of 2023 registered under
Sections 341, 323, 324, 379, 354(B), 307, 447, 504, 506, 34 of
the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons, including the petitioners, with a common intention,
assaulted the informant and his family members.

4. Learned counsel appearing on behalf of the
petitioners submits that there is land dispute between the parties



and both the parties are agnates and for the said reason they indulged into fierce fight and assaulted each other. Learned counsel further submitted that the petitioners, in their self-defense, may have caused some injury on the person of the informant, without intention. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioners are agnates and they may have caused some injuries on the person of the informant, which may be without intention and the petitioners are having clean antecedent, I am of the opinion that the petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate – Ist Class,



Madhepura in connection with Murliganj P.S. Case No. 280 of 2023, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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