

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38223 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- DHORAIYA District- Banka

1. Pawan kumar yadav @ Pawan yadav Son of Panchanand Yadav Resident of village- Banthi, Police Station Dhoraiya , District Banka
2. Panchanand Yadav Son of Late Tunak Yadav Resident of village- Banthi, Police Station Dhoraiya , District Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Balram Kapri, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP
For the Informant	:	Mr. Chandra Shekhar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-08-2025 Heard Mr. Balram Kapri, learned counsel for the petitioners, Mr. Sanjay Kumar Singh, learned APP for the State and Mr. Chandra Shekhar Sharma, learned counsel for the informant.

2. The petitioners are apprehending their arrest in connection with Dhoraiya P.S. Case No. 32 of 2025, F.I.R. dated 02.02.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1), 76, 303(2), 324(2), 352, 351(2), 3(5) of the BNS, 2023.

3. According to prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant. It is further alleged that one co-accused person is



said to have snatched golden necklace from the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent, due to admitted land dispute, the present occurrence has taken place and the petitioners have falsely been implicated in the present case by the informant side in all the cases which are pending against the petitioners. He further submits that it appears from the FIR that on the same day, the informant side have lodged two FIRs against the petitioners. One is Dhoraiya P.S. Case No. 32 of 2025 (present case) and another is Dhoraiya P.S. Case No. 31 of 2025 and apart from that the land dispute is going on between the parties. It is further submitted that the specific allegation against petitioner no. 1 is that he has thrown the informant on the ground and the specific allegation of assaulting the informant is against co-accused, Pankaj Yadav.

5. The learned Additional Public Prosecutor for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners carries three more cases other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that out of three cases, the petitioners are on bail in two cases and one case is pending for consideration before the



competent Court of law.

6. Considering the aforesaid facts and circumstances, due to admitted land dispute, the present occurrence has taken place, there is no specific allegation of any assault attributed against the petitioners and the specific allegation of assault has been attributed against the co-accused person, namely, Pankaj Yadav, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M, Banka in connection with Dhoraiya P.S. Case No. 32 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

priyanka/-

U		T	
---	--	---	--

