

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39844 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- KHUDWA District- Aurangabad

1. Rajesh Singh @ Rajesh Yadav Ram Dayal Yadav @ Ran Dayal Singh R/o Vill- Bichha/Bichhaha, P.S.- Khudwan, Distt- Aurangabad
2. Brajesh Singh @ Brajesh Yadav S/o Ram Dayal Yadav @ Ram Dayal Singh R/o Vill- Bichha/Bichhaha, P.S.- Khudwan, Distt- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Khudwan P.S. Case No. 26 of 2025, instituted for the offences punishable under Sections 190, 191(2), 126(2), 115(2), 117(2), 109, 132, 221, 303(2), 317(2), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, police intercepted a tractor illegally loading sand near Punpun river and apprehended the petitioners. It is further alleged that, a group of 10-12 villagers attacked the police personnel to free the accused persons due to which they also sustained injuries.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioner also submits that petitioner no. 1 is driver of the tractor and petitioner no. 2 brother of petitioner no. 1. The allegation levelled against the petitioners of assaulting the police personnel is general and omnibus in nature. No specific allegation has been attributed against them. It is further submitted that the petitioner are not the owner of the tractor in question. The petitioners are in custody since 24.03.2025 and have got two criminal antecedents in which they are on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Khudwan P.S. Case
No. 26 of 2025.

Rajorshi/- **(Rudra Prakash Mishra, J)**

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