

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38979 of 2025

Arising Out of PS. Case No.-470 Year-2024 Thana- NARPATGANJ District- Araria

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1. Kamal Yadav S/O Late Lal Das Yadav R/O Village- Kanhaili ward no 6, PS- Narpatganj, district- Araria
 2. Vikash Yadav @ Bikash Yadav S/O Shachidanand Yadav R/O Village- Kanhaili ward no 6, PS- Narpatganj, district- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioners who apprehend arrest in connection with Narpatganj P.S. Case No. 470 of 2024 lodged 08.09.2024, for the offences punishable under sections 191(2), 191(3), 190, 115(2), 118(1), 118(2), 109, 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the prosecution, the F.I.R. has been lodged against twelve named accused persons, including the present petitioners. There are specific allegations against co-accused Jitan Yadav and Palwendra Yadav of assaulting the informant's husband with a *farsa*, causing head injuries. It is further alleged



that co-accused Ramesh Yadav and Mukesh Yadav opened fire, which resulted in one boy sustaining injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. There is no specific allegation against the present petitioners in the F.I.R. A bare perusal of its contents clearly indicates that the present dispute arises out of a land-related issue. Learned counsel further submits that petitioner no.1 is accused in two other criminal cases, while petitioner no.2 is accused in one other criminal case, all of which have been filed by the informant. It is also submitted that for the same incident, the brother of petitioner no.2, namely co-accused Yugesh Yadav @ Yogesh Yadav, has lodged Narpatganj P.S. Case No. 469 of 2024, whereas the informant has lodged the present F.I.R. as Narpatganj P.S. Case No. 470 of 2024.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the fact that there is a case and counter-case between the parties and that there is no specific allegation against the petitioners in the F.I.R., let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks



from today, on furnishing bail bond of ₹30000/- (thirty thousand) each as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the learned CJM, Araria, in connection with Narpatganj P.S. Case No. 470 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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