

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41186 of 2025

Arising Out of PS. Case No.-173 Year-2025 Thana- MADHEPURA District- Madhepura

1. Shashi Yadav S/o Late Satya Narayan Yadav
2. Ravindra Yadav S/O Shashi Yadav
3. Ranju Devi W/O Shashi Yadav
All R/O Mohalla- Naulakhiya, Ward no. 1, Madhepura, P.S. and Distt-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate Ms. Pooja Prasad, Advocate
For the State	:	Mr. Renuka Ratnakar (125), APP
For the Informant	:	Mr. Rupesh Kumar, Advocate Ms. Laxmi Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-10-2025

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail apprehending their arrest in connection with Madhepura P.S. Case no.173 of 2025 registered for the offence punishable under sections 115(2), 126(2), 109, 308(2), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, on the police personnel having been deputed and proceeding to remove the encroachment, it is stated that the petitioners herein and 20-25 other persons came variously armed and abused and assaulted the police personnel and others. It is stated that Shashi Yadav



assaulted with an iron rod on the head of the informant as a result of which he sustained injuries. Thereafter it is stated that the petitioner nos.1 and 2 caught hold of the informant along with others and dragged him stating that he would be killed and thrown in the river.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The matter relates to land dispute which would be evident from the contents of the FIR itself. The allegations are concocted and preposterous. There is no allegation so far as the petitioner no.3 is concerned. There is title suit pending between the parties and there is case and counter case, the correct version having been given in the counter case lodged by the petitioner's side.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioners are named in the FIR but there is specific allegation against them of having assaulted the informant and others including the police personnel who were deputed to remove the encroachment.

6. Having perused the contents of the FIR together with the nature of allegation against the petitioner nos.1 and 2,



in the facts of the case, the Court is not inclined to enlarge the petitioner no.1 namely Shashi Yadav and petitioner no.2 namely Ravindra Yadav on anticipatory bail and their application is rejected.

7. The petitioner nos.1 and 2 are directed to surrender in the learned Court below within a period of four weeks.

8. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner no.3 who happens to be a lady and there being no specific allegation against her, it is directed that the petitioner no.3 namely Ranju Devi in the event of her arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Madhepura P.S. Case no.173 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura.

(Partha Sarthy, J)

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