

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50589 of 2025

Arising Out of PS. Case No.-5 Year-2023 Thana- NIMCHAKBATHANI District- Gaya

1. Alakh Deo Yadav, aged about 55 years (M) S/O Late Ramchandra Yadav.
2. Munni Lal Yadav @ Muni Lal Prasad, aged about 52 years (M), S/O Late Ram Chandra Yadav.
3. Rajani Kumar @ Niranjan Kumar aged about 28 years (M)
4. Lalu Yadav aged about 32 years (M), 3 and 4 both S/O Alakhdeo Yadav.
5. Ramadhin Yadav aged 37 years (M), S/o Munilal Yadav
6. Jitendra Yadav, aged about 35 years, (M), S/O Munilal Yadav
7. Surendra Yadav @ Bhunash Yadav, aged about 60 years (M), S/O Late Sita Yadav All R/O Village - Rehua P.S.- Neemchak Bathani , District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brijmohan Das, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2025 Heard Mr. Brijmohan Das, learned counsel

appearing on behalf of the petitioners and Mr. Abhay Kumar

Roy, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Neemchak Bathani P.S. Case No. 05 of 2023, registered for
the offence punishable under Sections 147, 148, 149, 323, 341,
504, 506, 379 and 308 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioners
along with other co-accused, had assaulted the informant and his



family members causing injuries and had also opened fire upon them.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. General and omnibus allegation has been levelled against the petitioners. Specific allegation of firing is against co-accused Raju Yadav. There is case and counter case between the parties arising out of the same incidence. Injuries sustained by the informant side have been found to be simple in nature. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest 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 general and omnibus allegation has been levelled against the petitioners. Specific allegation of firing is against co-accused Raju Yadav. There is case and counter case between the parties arising out of the same incidence. It appears from the impugned order that the doctor has opined the injuries sustained by the informant side to be simple in nature. Petitioners have clean antecedent. I am of



the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest 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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Gaya, in connection with Neemchak Bathani P.S. Case No. 05 of 2023, subject to the condition as laid down under Section 482(2) of the BNSS.

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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