

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43387 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- CHANDAUTI District- Gaya

Raj Kumar Yadav S/O Late Ramkishun Yadav R/O Village- Habbipur, P.S-
Chandauti, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Syed Asgher Najmi, Advocate
For the Opposite Party : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 13-11-2025 Heard learned Advocate for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Chandauti P.S. Case No. 74 of 2025, registered for the offences punishable under Sections 191(2), 191(3), 190, 127(1), 352, 351(2), 115(2), 303(2), 109 of the Bhartiya Nyaya Sanhita 2023.

3. Allegedly, on the fateful day, while the informant was sitting at the door along with her husband, in the meanwhile, all the accused persons variously armed came there and started abusing. It is specifically alleged that the petitioner assaulted the husband of the informant by means of iron *sabhal* over his head, due to which he sustained serious injury.

4. Learned Advocate for the petitioner submitted that with regard to an occurrence, which took place on 16.02.2025,



the present FIR came to be instituted on 22.02.2025 without there being any explanation for the delay. There is counter version of the present case being Chandauti P.S. Case No. 75 of 2025 registered by the sister-in-law (*bhabhi*) of the petitioner against the informant and others. There is no repetition of blow. However, the learned court below has wrongly stated that the petitioner has given a repeated blow. In fact, on account of a trifle both the parties entered into scuffle resulting into injuries to persons of both the sides, however, the prosecution has failed to explain the injuries sustained to the members of the petitioner party. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application.

6. Considering the delay in lodging of the FIR coupled with the factum of case and counter case and the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Gaya, in connection with Chandauti P.S. Case No. 74 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

Pawan/-

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

