

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50134 of 2025

Arising Out of PS. Case No.-277 Year-2024 Thana- MAGADH UNIVERSITY District- Gaya

1.

Kishor Yadav S/o Late Mohan Yadav Vill. - Dhanawan, PS - Magadh University, Distt.- Gaya
2.

Chandan Kumar S/o Kishor Yadav Vill. - Dhanawan, PS - Magadh University, Distt.- Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Ms. Anju Kumari Sinha, Advocate
For the Opposite Party	:	Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

318-11-2025

Heard Ms. Anju Kumari Sinha, learned Advocate for the petitioners and Mr. Abhay Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Magadh University P.S. Case No. 277 of 2024, registered for the offences punishable under Sections 329(3), 126(2), 115(2), 109(1), 117(2), 303(2), 351(2), 3(5) of the Bhartiya Nyaya Sanhita 2023.

3. Allegedly, while the informant was sitting at his door, in the meanwhile, the petitioners along with others variously armed came there and brutally assaulted him. It is specifically alleged that both the petitioners assaulted the informant over his head by means of *khanti* and iron rod due to



which he sustained serious injury; besides the further allegation against others of causing assault and snatching valuables.

4. Learned Advocate for the petitioners submitted that the injuries, which are allegedly sustained over the head of the informant, the same has been found to be simple in nature. Although the informant has sustained a fracture injury over his forearm and the same is reported to be grievous in nature, but has not been attributed to the petitioner. There is a counter version of the present case being Magadh University P.S. Case No. 3 of 2025. It is further submitted that in fact on account of a free fight, both the parties have sustained serious injuries leading to lodging of the two FIRs from both the sides. The petitioner No.2 also sustained some injuries. The petitioners undertake that they will fully cooperate in the proceeding of the court and would not indulge in such incident in future.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners along with others brutally assaulted the informant.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the allegation against the petitioners *qua* the corresponding injuries as well as the factum of case and counter case, besides



the genesis of the occurrence, let the petitioners abovenamed be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-VIII, Gaya, in connection with Magadh University P.S. Case No. 277 of 2024, 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 petitioners.

(Harish Kumar, J)

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