

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48303 of 2025

Arising Out of PS. Case No.-182 Year-2025 Thana- KONCH District- Gaya

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1. Rinku Devi wife of Krishna Yadav @ Krishna Kumar village -Konch PS -Konch District- Gaya
 2. Nagmatiya Devi @ Manmatiya Devi Wife of Sadhu Yadav village -Konch PS -Konch District- Gaya
 3. Mallu yadav son of Late Kamla Yadav village -Konch PS -Konch District- Gaya
 4. Krishna yadav @ Krishna Kumar son of Late Pallu yadav village -Konch PS -Konch District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinod Kumar, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP
For the Informant	:	Mr. Sunil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr. Manoj Kumar, learned counsel for the petitioners and Mr. Anil Prasad Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Konch P.S. Case No. 182 of 2025, F.I.R. dated 14.03.2025 for the offences punishable under Sections 191(2), 190, 126(2), 352, 351(2), 351(3), 115(2), 109, 74 and 303(2) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused persons including these petitioners brutally assaulted the



informant's son and also assaulted the informant and snatched gold chain from her neck. It is further alleged that they have threatened the informant for dire consequences.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. The present case is the counter blast of Konch P.S. Case No. 181 of 2025 which was filed on behalf of the petitioners against the informant and her family members. He further submits that although the petitioners are named in the F.I.R but it appears from the F.I.R that there is no specific allegation of assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R and apart from that they with the common intention assaulted the informant and her son.



6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, there is no specific allegation against them and there is case and counter case between the parties, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VIII, Gaya in connection with Konch P.S. Case No. 182 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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