

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46127 of 2025

Arising Out of PS. Case No.-850 Year-2021 Thana- SHERGHATI District- Gaya

1. Pritam Kumar @ Shyam Kumar
2. Krishana Yadav @ Krishna Saw S/O Late Pachu Yadav
3. Bedamiya Devi W/O Late Pachu Yadav
4. Ranju Devi W/O Krishana Yadav @ Krishna Saw
5. Rekha Devi W/O Lalu Yadav
All R/o Vill.- Aukhadohar, P.S.- Dobhi, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Prabhat, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-07-2025 Heard Mr.Krishna Prabhat, learned counsel for the

petitioners and Mr.Shailendra Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sherghati (Dobhi) P.S.Case No.850 of 2021,FIR dated 16.12.2021 registered for the offences punishable under Sections 341,323,308,337,338,379,504/34 of IPC.

3. Allegation against the petitioners is that they alongwith other co-accused persons unanimously assaulted to the informant and his family members due to which they



sustained heads injury.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedent. The present case is counter blast of Sherghati (Dobhi) P.S.Case No.849 of 2021. It appears from the FIR that due to some land dispute the present occurrence has taken place. There is case and counter case. Although the petitioners are named in the FIR and there is specific allegation against petitioners, namely, Pritam Kumar @ Shyam Kumar and Krishna Yadav @ Krishna Saw that they have assaulted to the informant, namely, Gunjan Kumar and his father, namely, Chandrika Yadav. Although Gunjan Kumar has received the injury but the injury report of the aforesaid injured person suggests that the injury is simple in nature.. apart from that, there is no specific allegation of any assault or overt-act attributed against other petitioners.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is case and counter case, and injury inflicted upon the injured person is simple in nature, let the petitioners, above named, in the event of their 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 learned A.C.J.M., Sherghati (Gaya) in connection with Sherghati (Dobhi) P.S.Case No.850 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS,2023 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 tamper 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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