

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48981 of 2025

Arising Out of PS. Case No.-364 Year-2024 Thana- NEMDARGANJ District- Nawada

Mukesh Yadav @ Mukesh Kumar S/o Late Prabhu Yadav @ Prabhu Prasad
Yadav R/o Village- Jalalpur, P.S.- Nemdarganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Adv.
For the informant	:	Mr. N.K. Agrawal, Sr. Adv.
		Mr. Amit Ranjan, Adv.
For the Opposite Party/s	:	Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nemdarganj P.S. Case No. 364/2024 dated 21.11.2024 registered for the offences punishable u/ss 190, 191(2), 126(2), 115(2), 117(2), 109, 324(4) of the BNS and later on added section 103(1) of the BNS.

3. As per the prosecution case, the petitioner and the co-accused persons armed with various weapons are alleged to have come and started abusing the informant's husband. On the exhortation of the petitioner, Mukesh Yadav, all the accused persons started assaulting the informant's husband and, in the



meantime, the co-accused, Munni Yadav assaulted the informant's husband with Khanti on his head causing severe injury and he fell down. When the informant went to rescue, the petitioner and the co-accused persons also assaulted her and Tara Devi broke her finger and assaulted on her head and the co-accused Pintu Kumar broke her mobile phone and all the accused persons broke the door and the window of her house.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a land dispute between the parties. The petitioner is only the order giver and the allegation against the petitioner is general and omnibus in nature. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted regular bail by this court vide order dated 25.06.2025 passed in Cr. Misc. No. 37912 of 2025. The petitioner has eight criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 11.05.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner by submitting that there is serious allegation against the accused person of assaulting the informant's husband and



later on he died during the course of the treatment.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Nemdarganj P.S. Case No. 364/2024 with the conditions :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii) The petitioner is directed to cooperate in the trial before the learned court below.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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