

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51442 of 2025

Arising Out of PS. Case No.-186 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Pintu Yadav, S/o Master Yadav, Resident of Village- Banjariya, P.S-
Kuchaikote, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vyas Kumar Mishra, Advocate
For the State	:	Mr.Sanjay Kumar Pandey, APP
For the Informant	:	Mr. Rupanshu Shekhar, Advocate
		Mr. Nishant Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. In the present case, the petitioner seeks bail in connection with Kuchaikote P.S. Case No. 186 of 2025, registered for the alleged offence under Sections 126(2), 115(2), 118(1), 109(1), 303(2) and 3(5) of BNS, 2023.

3. As per prosecution case, the co-accused persons started hurling abuses on the informant and when the informant opposed, then this petitioner gave him a *tangi* blow on his head causing a cut injury. When the brother of the informant intervened, co-accused Guddu Yadav gave him a *daab* blow on his head. Other co-accused persons also assaulted the family members of the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Both sides are agnates and there is a case and counter case between the parties. The counter version is Kuchaikote P.S. Case No. 188/2025 registered under Sections 126 (2), 115(2), 118(1), 74, 109 (1), 3 (5) of BNS lodged by the co-accused Guddu Yadav against the informant and his family members. One month earlier, a proceeding under Section 144 Cr.P.C has also taken place between the parties. Both sides entered into a free fight and the petitioner side also received injuries for which there is no explanation. The learned counsel further submits that though there is allegation against the petitioner for giving *tangi* blow on the head of the informant, but the injury report does not show any sharp cut injury, though the injury was stated to be grievous as it was fractured, but caused by hard and blunt substance. Therefore, the allegation against the petitioner for giving *tangi* blow on the head of the informant is falsified. The petitioner is having clean antecedent and is in custody since 13.05.2025. The charge sheet has been submitted.

5. Learned A.P.P. as well as learned counsel for the informant oppose the submission made on behalf of the petitioner. The learned counsel for the informant submits that in



the assault by the petitioner, the informant received grievous injury and it was on a vital part.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the absence of alleged injury on the informant stated to be authored by this petitioner and further considering the case and counter case between the parties and also considering the period of custody of the petitioner, submission of charge sheet and his clean antecedent, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj/court concerned, in connection with Kuchaikote P.S. Case No. 186 of 2025, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail,



the bail bond of the petitioner will be liable
to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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