

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56801 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- CHANDAUTI District- Gaya

Upendra Yadav, S/o- Shyamji Yadav, R/O Village- Habbipur, P.S.- Chandauti,
District -Gaya Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Adv.
Mr. Ashutosh Kumar Mishra, Adv.
For the Opposite Party/s: Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-08-2025 Heard Mr. Syed Asgher Najmi, learned counsel for
the petitioner and Mr. Navin Kumar Pandey, learned APP for the
State.

2. Petitioner seeks regular bail in connection with
Chandauti P.S. Case No. 74 of 2025 dated 22.02.2025 registered
for the offences punishable under sections 191(2), 191(3), 190,
127(1), 352, 351(2), 115(2), 303(2) and 109 of the Bharatiya
Nyaya Sanhita.

3. The main submissions advanced by petitioner's
counsel are that as per the prosecution, the alleged occurrence
took place on 16.02.2025 but the FIR was registered on
22.02.2025 without explaining the reason for the said delay, in
fact the petitioner's brother's son was assaulted by the
prosecution party for which the wife of the petitioner's brother
lodged Chandauti P.S. Case No. 75 of 2025 against the



informant of the present case and thereafter, in retaliation and to save skin from the petitioner's case, the FIR of the present case was lodged. It is further submitted that altogether ten persons, including the petitioner, have been named in the FIR but against this petitioner, there is no specific allegation and his specific role in the commission of the alleged assault has not been disclosed and the main allegation of assaulting the injured persons is against the co-accused Surendra Yadav, Rajkumar Yadav and others. It is lastly submitted that the petitioner bears no criminal antecedent and has been languishing in jail since 25.05.2025 and he is a 18 year old young person and further, there is case and counter case in between both the parties.

4. Learned APP for the State has opposed the bail prayer of the petitioner.

5. In the facts and circumstances of this case and considering the aforesaid submissions, mainly the facts, that in the FIR, there is no specific allegation against this petitioner and there is case and counter case in between both the parties, coupled with petitioner's young age, his custody period and clean past history, this Court is inclined to release him on bail. Accordingly, let the petitioner named-above be released 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 the court concerned in connection with Chandauti P.S. Case No. 74 of 2025.

(Shailendra Singh, J)

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