

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52762 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- KHIJARSARAI District- Gaya

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1. Deepak Kumar S/o- Upendra Yadav Resident of Village- Bakhtar, P.S. Khisersarai, District- Gaya
 2. Sunil Kumar S/o- Ram Chandra Yadav Resident of Village- Bakhtar, P.S. Khisersarai, District- Gaya
 3. Gauri Sinha W/o- Jitendra Yadav @ Jitendra Kumar Resident of Village- Bakhtar, P.S. Khisersarai, District- Gaya
 4. Jitendra Kumar @ Jitendra Yadav S/o- Late Shivcharan Yadav Bihar
 5. Ramesh Yadav S/o- Late Rajesh Yadav Resident of Village- Bakhtar, P.S. Khisersarai, District- Gaya
 6. Arun Kumar S/o- Late Rajesh Yadav Resident of Village- Bakhtar, P.S. Khisersarai, District- Gaya
 7. Beby Devi W/o- Sunil Yadav @ Sunil Kumar Resident of Village- Bakhtar, P.S. Khisersarai, District- Gaya
 8. Ramchandra Yadav S/o- Late Sukhdeo Yadav Resident of Village- Bakhtar, P.S. Khisersarai, District- Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ujjawal Kumar Singh, Advocate
For the Opposite Party : Ms/Mrs. Suman Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-09-2025 Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 191(2), 126(2), 115(2), 125(a), 109(1), 352 and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, 12 FIR named accused persons including these petitioners abused and assaulted informant and his brother by means of iron rod causing them injuries.



4. It is submitted on behalf of the petitioners that these petitioners are innocent and have falsely been implicated in this case. Allegation of assault is general and omnibus and no specific overt act has been alleged against these petitioners. Case and counter case. Doctor has found simple injury. F.I.R. has been lodged after delay of seven days without any explanation which renders the entire prosecution case doubtful.

5. Learned counsel for the State opposes the prayer for pre-arrest bail.

6. Considering the nature of injuries caused by these petitioners, prayer for bail of all these petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let these petitioners, mentioned above, be enlarged 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 Judicial Magistrate 1st class, Gaya or Successor court in Khizersarai Police Station Case No. 49 of 2025, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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