

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52947 of 2025

Arising Out of PS. Case No.-375 Year-2023 Thana- RAFIGANJ District- Aurangabad

1. Mahendra Yadav Son of Raghunandan Yadav
 2. Surendra Yadav Son of Raghunandan Yadav
 3. Jitendra Yadav @ Jitendra Kumar Yadav Son of Mahendra Yadav
- All above are residents of Vill- Rukmchak, P.S.- Rafiganj, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-08-2025 Heard Mr. Aman Vishal, learned counsel appearing on behalf of the petitioners and Mr. Ajit Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Rafiganj P.S. Case No. 375 / 2023 registered for the offence(s) punishable under Sections 341, 323, 307, 504, 506, 34 and 379 of the Indian Penal Code.

3. As per the allegation made in the FIR, all the accused persons including the petitioner assaulted the son of the informant, causing injury.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have



falsely been implicated in the present case due to land dispute. He further submitted that specific allegation of assault is against petitioners no.2 and 3 and general and omnibus allegation has been levelled against petitioner no.1, however, the injury sustained by the informant's son is simple in nature. There is case and counter case between the parties. He further submitted that the petitioners were given benefit of Section 41 Cr.P.C. and there was no question of being apprehended. Charge-sheet was submitted on 26.11.2023 and cognizance was taken on 03.01.2024, therefore, no question of tampering also arises. Petitioners have clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and also the fact that there is case and counter case between the parties and the injury sustained by the son of the informant is simple in nature and petitioners have clean antecedents. The charge-sheet has been submitted. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be



released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- IV, Aurangabad (Bihar) / Concerned Court in connection with Rafiganj P.S. Case No. 375 / 2023 , subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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