

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54499 of 2025

Arising Out of PS. Case No.-546 Year-2024 Thana- SHERGHATI District- Gaya

Ghatauri Yadav @ Parvesh Kumar @ Gatori Yadav @ Goutari Yadav S/O
mahendra yadav vill Palhat Khurd, PS. - Sherghati, Dist - gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sherghati P.S. Case No. 546 of 2024 instituted for the offences under Sections 126(2), 115(2), 109, 191(2), 190, 238, 352, 351(2) of the Bhartiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that the husband of the informant was on guard duty. At that time as he reached near dump, he found that the petitioner along with others being armed with weapon were attempting to carry the sand dump. When the husband of the informant objected, he was being badly assaulted by the accused persons. It is further alleged that the husband of the informant is serious and he is admitted in



A.N.M.C.H. In the last portion of the F.I.R., it has been alleged that the husband of the informant was assaulted as he has objected the accused persons in operating D.J.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. There is delay of one day in instituting the F.I.R. which creates doubt in the veracity of the prosecution case. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. There is no eye-witness to the alleged occurrence. Charge-sheet has been submitted in this case. The petitioner has two criminal antecedents and is languishing in judicial custody since 05.06.2025 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 01.08.2025 passed in Cr. Misc. No. 46509 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as



also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sherghati P.S. Case No. 546 of 2024.

(Rudra Prakash Mishra, J)

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