

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57560 of 2025

Arising Out of PS. Case No.-308 Year-2023 Thana- TILAUTHU District- Rohtas

Pramod Yadav S/O Late Bigan Yadav R/O Village- Maharajganj, P.S-
Tilauthu, Distt.- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Swati Parmar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 17-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Tilauthu P.S. Case No. 308 of 2023 in a case registered for the
offence punishable under Sections 147, 148, 341, 323, 307,
379, 504 and 506 of the Indian Penal Code.

3. The allegation in the first information report is
that seven accused persons came variously armed and on
account of land dispute between the parties, the informant and
his family members were being abused and assaulted, while
accused Vikash Yadav and Vinod Yadav assaulted the
informant, Pramod Yadav (petitioner) is said to have assaulted
the informant's mother on the head with *Tangi*, when she
intervened.



4. Learned counsel for the petitioner has submitted that the entire occurrence took place on account of land dispute between the parties which is also apparent from the first information report. It has been further submitted that the parties are *pattidars* and as against the allegation of assaulting by means of axe, the injury report of the mother of the informant would show that although the injury is grievous, the same has been caused by hard and blunt substance, hence the allegation does not stand corroborated by the injury report. Learned counsel has further submitted while the informant received simple injury, the mother of the informant received injury as aforesaid, during the course of scuffle between the parties which may also be possible due to fall etc. It is thus submitted that no case under Section 307 of the I.P.C. would be made out as no intention to cause death can be attributed against the petitioner. The petitioner is in custody since 17.05.2025.

5. Learned APP for the State opposed the grant of bail on the ground that the injury received by the victim is grievous in nature.

6. Taking into consideration the facts and circumstances of the case and considering that the injury received by the mother of the informant has been caused by



hard and blunt substance and the injury report also indicates the use of *lathi* instead of axe, coupled with the fact that the occurrence took place as a consequence of an altercation between the parties on account of land dispute, not making out a case of attempt to cause death, let the above named petitioner, who is in custody since 17.05.2025, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.-1st Class, Dehri-On-Sone /concerned Court below in connection with Tilauthu P.S. Case No. 308 of 2023 subject to condition that:-

(i) Till the framing of charge, the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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