

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56240 of 2025

Arising Out of PS. Case No.-415 Year-2024 Thana- HARNAUT District- Nalanda

Vinay Yadav @ vinay Prasad @ Prasad, S/o Ramsaroop Yadav @ Ramsaroop Prasad, R/o Village- Ukhara Ukhra, P.S.- Harnaut (O.P. Chero), Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Tej Pratap Singh, Adv.
For the Informant	:	Mr. Satya Prakash, Adv.
For the State	:	Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-08-2025 1. Heard Mr. Krishna Prasad Singh, learned senior counsel for the petitioner, Mr. Satya Prakash, learned counsel for the informant and Mr. Anil Kumar Singh No. 1, learned APP for the State.

2. The petitioner seeks regular bail in connection with Harnaut P. S. Case No. 415 of 2024, dated 28.10.2024, registered for the offences punishable under Sections 126(2), 115(2), 303(2), 109(1), 352, 351(4) and 3(5) of the B.N.S.

3. The main submissions advanced by the petitioner's counsel are that as per the allegation, this petitioner simply instigated the co-accused to assault the informant and upon his order, the co-accused Chandan Kumar inflicted an iron rod blow



on the head of the informant and accordingly, the petitioner is alleged to be the order-giver and on the body of the informant, only one injury on her head was found which is specifically attributed to the co-accused Chandan Kumar. It is further submitted that the FIR itself shows that the alleged occurrence was not pre-planned and same took place due to a dispute over the flow of water in a common drain and the petitioner has a clean past history and has been languishing in jail since 17.06.2025.

4. On the other hand, Mr. Satya Prakash, learned counsel appearing for the informant has opposed the bail prayer of the petitioner and submits that it was the petitioner who instigated the co-accused Chandan Kumar upon which the informant was assaulted by the said co-accused at a vital part of her body, resulting in grievous injury.

5. In the facts and circumstances of this case and mainly considering the nature of the allegation appearing against this petitioner and also his clean past history and the fact that as per the above submissions, the informant who is said to be the sole injured sustained only one injury on her head specifically attributed to the co-accused Chandan Kumar and the petitioner is alleged merely to be instigator, in my opinion, it is a



fit case for granting bail to the petitioner. Accordingly, let the petitioner named-above, be enlarged on bail in connection with Harnaut P. S. Case No. 415 of 2024 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.

(Shailendra Singh, J)

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