

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57721 of 2025

Arising Out of PS. Case No.-210 Year-2025 Thana- BANKA District- Banka

Lakshman Yadav S/O Uchit Yadav R/O Village- Lohsina, P.S. And District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 59130 of 2025

Arising Out of PS. Case No.-210 Year-2025 Thana- BANKA District- Banka

Chulhay Yadav Son of Hitlab Yadav @ Hito Manjhi @ Hitlal Yadav Resident of village - Lohsina, P.S.- Banka, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 57721 of 2025)

For the Petitioner/s : Mr.Brij Nandan Prasad, Adv.

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, Adv.

(In CRIMINAL MISCELLANEOUS No. 59130 of 2025)

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Adv.

Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 19-11-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Since both the applications arise out of Banka P.S.
Case No. 210 of 2025, they have been taken up together and
disposed of by this common order.

3. In the present case, the petitioners seek bail in
connection with Banka P.S. Case No. 210 of 2025, registered for

the offences under Sections 126(2), 115(2), 109, 3(5) of the BNS.

4. As per the prosecution case, petitioners and other co-accused persons assaulted the mother of the informant with axe in the night causing a number of injuries to her. The occurrence took place in the background of previous dispute between the parties.

5. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. From the FIR it is apparent that informant is not an eye witness. The statement of the mother of the informant/victim was also recorded wherein she stated that from the sound of voice of the assailants she inferred that they were the petitioners and other co-accused persons. The police investigated the matter but did not send up other co-accused persons for facing trial. The allegation against the petitioners are completely vague and non-specific. Though there is allegation of assault with axe but from the injury report it appears there is absence of injury of axe/any sharp and heavy cutting weapon. The occurrence took place on 07.05.2025 but it was reported on 10.05.2025 without explaining the delay. The petitioners are having no criminal antecedents and they are in

custody since 12.05.2025. Charge sheet has been submitted.

6. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners. Learned A.P.P. submits that the petitioners in background of their previous dispute has made an attempt on the life of the mother of the informant.

7. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the vague nature of allegation and further considering the submission of charge sheet and period of custody and clean antecedent of the petitioners, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka/concerned court, in connection with Banka P.S. Case No. 210 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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