

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66558 of 2025

Arising Out of PS. Case No.-217 Year-2025 Thana- BAISI District- Purnia

1. Dilip Yadav @ Dilip Kumar Yadav, S/O Bhelu Lal Yadav @ Bhelu Yadav, R/O Village- Guwalgawn, P.S- Baisi, Distt.- Purnea.
2. Indrjeet Yadav, S/O Bhelu Yadav @ Bhelu Lal Yadav, R/O Village- Guwalgawn, P.S- Baisi, Distt.- Purnea.
3. Anil Yadav, S/O Ujaran Yadav, R/O Village- Guwalgawn, P.S- Baisi, Distt.- Purnea.
4. Bhelu Yadav @ Bhelu Lal Yadav, S/O Late Kishan Lal Yadav, R/O Village- Guwalgawn, P.S- Baisi, Distt.- Purnea.
5. Shyamlal Yadav, S/O Bhelu Lal Yadav @ Bhelu Yadav, R/O Village- Guwalgawn, P.S- Baisi, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balkrishna Mishra, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-09-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Baisi P.S. Case No. 217 of 2025 registered for the offences punishable under Sections 127(1), 115(2), 109, 76, 352, 303(2), 351, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly on the fateful day while the informant along with her sons were engaged in constructing their hut, in the meanwhile, the petitioners along with others, variously armed came there and protested against the construction and all



of them started abusing and assaulting. It is further alleged that when one Futku Yadav came to their rescue, the other accused persons caught hold him, whereupon the petitioner no.5 (Shyamlal Yadav) assaulted him by means of *Iron Daw*, due to which he sustained serious injury over his head. There are further allegation against other accused persons of causing assault and snatching valuables.

4. Learned Advocate for the petitioners submitted that in fact there is admitted land dispute and on the fateful day it is the informant's side, who were engaged in illegal construction and when it was protested, they brutally assaulted the persons of the petitioners' side, leading to lodging of Baisi P.S. Case No. 216 of 2025. In the said case, some of the persons of petitioners' side also sustained injuries, the copies of which have also been placed on record as Annexure-P/4 Series. So far the injury sustained to injured Futku Yadav is concerned, the attention of this Court has drawn to the injury report, contained in Annexure-P/3, which appears to be simple in nature. The petitioners are facing two criminal antecedent in their credit. However, it is contended that these cases were also arisen on account of the same land dispute between both the parties.

5. On the other hand, learned APP for the State vehemently opposed the bail application and submitted that both



the parties have entered into free fight, leading to injuries on the persons of both the sides, as such complicity of the petitioners cannot be ruled out.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the factum of case and counter case, coupled with the omnibus nature of allegation and the simple injury, which is allegedly attributed to the petitioner no.5, let all the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 217 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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