

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61131 of 2025

Arising Out of PS. Case No.-20 Year-2019 Thana- KUMAR KHAND District- Madhepura

Arvind Kumar @ Arvind Kumar Amar @ Arvind Yadav, Son of Vidya Nand Yadav, Resident of Village-Israinkala, Ward no. 06, P.S.-Kumarkhand, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Adv. Mr. Manoj Kumar, Adv. Ms. Pooja Prasad, Adv.
For the Opposite Party/s	:	Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 03-12-2025 Heard learned Advocate for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Kumarkhand P.S. Case No.20 of 2019 registered for the offences punishable under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

3. Allegedly, after getting approval from the Panchayati, when the informant came to start cultivation over the land, in question, all the accused persons variously armed surrounded the informant and started abusing and assaulting him. It is specifically alleged that co-accused Baiju Yadav assaulted the informant by means of *farsa* over his head, due to



which he sustained serious injury.

4. Learned Advocate for the petitioner contended that from the narratives of the FIR, it is evident that there was a land dispute and the parties are bickering over the same for so many years, which led to institution of case and counter case bearing Kumarkhand P.S. Case No.21 of 2019 instituted by the wife of co-accused Baiju Yadav against the informant and others. Even if the allegation is taken to be true for the sake of argument, the petitioner is said to have participated in the crime; however, without there being any specific accusation of any overt act. The petitioner was not even knowing this fact he has been made accused in this case; however, later on, on 24.04.2025, when the jurisdictional court took cognizance for the offences alleged in the FIR against the petitioner and the process has been issued, thereupon he came to know with respect to the present case. The petitioner bears two criminal antecedent; however, he undertakes that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State submitted that the FIR was instituted in the year 2019 and the petitioner was evading his arrest for the last six years and for this reason alone, the petitioner does not deserve pre-arrest bail.



6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the nature of accusation, coupled with the factum of case and counter case as also the fact that recently the jurisdictional court has taken cognizance for the offences as alleged in the FIR against the petitioner and others and thereupon process has been issued, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Madhepura in connection with Kumarkhand P.S. Case No.20 of 2019, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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