

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63096 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- CHAUSA District- Madhepura

Kare Yadav @ Keshav Yadav @ Kaishav Yadav S/O Bucho Yadav Village-
Fulout Paschimi Ward no. 06, P.S.- Chausa (Fulaut O.P.), District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Rashmi, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Chausa (Fulaut O.P) P.S. Case No. 78 of 2025 dated 16.03.2025, registered for the offence punishable under Sections 126(2), 115(2), 109(1), 118(1), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that informant's son was returning to his house from *Bathan* in the evening on the alleged date of occurrence and when he reached near his house, suddenly all F.I.R. named accused persons including the petitioner surrounded and assaulted him by means of iron rod, *farsa* and *lathi*. On *halla*, the informant along with his younger son and nephew went to place of occurrence and saw co-



accused Raja Yadav assaulted the informant's son on his head by means of iron rod. It is further alleged all accused also persons assaulted younger son and nephew of informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that there is case and counter case between the parties. Counter case bearing Chausa P.S. Case No. 79 of 2025 has been lodged by Munna Yadav @ Niranjan Kumar Munna. It is submitted that the allegation of assault is against Raja Yadav, who assaulted on the head of informant's son by means of iron rod due to which he fell down, thereafter, the petitioner also hit him on the head. It is submitted that as per the injury report, both the injuries are simple in nature. It is submitted that injury has been caused by sharp cutting substance but there is no allegation of sharp weapon used in the said crime. It is also submitted that there is land dispute between the parties and both sides have sustained injuries. Lastly, it has been submitted that the petitioner has one criminal case against him in which he was not sent up for trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Chausa (Fulaut O.P.) P.S. Case No. 78 of 2025, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Uda-Kushunganj, Madhepura, subject to condition as laid down under Section 482(2) of B.N.S.S..

(Khatim Reza, J)

prabhat/-

U		T	
---	--	---	--

