

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61346 of 2025

Arising Out of PS. Case No.-192 Year-2025 Thana- RAJAON District- Banka

1. Bam Bam Yadav son of Pramod Yadav Resident of Village -Lauhariya Gopalpur PS- Rajoun, Dist- Banka
2. Birendra Yadav @ Birendra Kumar son of Pramod Yadav Resident of Village -Lauhariya Gopalpur PS- Rajoun, Dist- Banka
3. Hemant Yadav @ Hemant Kumar son of Pramod Yadav Resident of Village -Lauhariya Gopalpur PS- Rajoun, Dist- Banka
4. Gopal Yadav son of Late Toufi Yadav Resident of Village -Lauhariya Gopalpur PS- Rajoun, Dist- Banka
5. Gaurav Yadav son of Pramod Yadav Resident of Village -Lauhariya Gopalpur PS- Rajoun, Dist- Banka
6. Fantush Kumar @ Fantush Yadav son of Pramod Yadav Resident of Village -Lauhariya Gopalpur PS- Rajoun, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Sharma, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-09-2025 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Rajoun P.S. Case No.192 of 2025 registered for the offences punishable under Sections 115(2), 126(2), 132, 351(2), 352, 110, 3(5) of the BNS.

3. On the fateful day, while the Circle Officer, Rajoun, Circle Banka, visited the site for removal of encroachment in



connection with Encroachment Case No.26/2023-24, in compliance with the order of this Court, allegedly all the FIR named accused persons, including the petitioners with 10-15 unknown persons started pelting stones and thereby caused hindrance in discharging the public duty.

4. Learned Advocate for the petitioners taking this Court through the FIR has submitted that besides omnibus allegation of pelting stone, in fact, none has sustained any injury and all the more, there is no discussion in the impugned order in this regard. In fact, the petitioners being aggrieved with encroachment have approached this Court and on their persuasion, the Court has directed to remove encroachment but, surprisingly, the officers concerned were adamant to remove the petitioners' own house, which was protested and only for the said reason, in order to mount pressure, the present FIR has been instituted. The petitioners are the persons of fair antecedent and they undertake before this Court that they will fully cooperate in the investigation and the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that there is specific allegation that the petitioners along with others caused obstruction in discharging the public duty.



6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the omnibus nature of allegation, coupled with the fair antecedent of the petitioners as also none has sustained injury, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Rajoun P.S. Case No.192 of 2025, 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 petitioners.

(Harish Kumar, J)

rohit/-

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

