

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65231 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- PALIGANJ District- Patna

1. Mukesh Yadav @ Mukesh Kumar S/o- Wakil Yadav Resident of village- Mohabhatpur PS- Paliganj District- Patna
2. Butan Yadav @ Awadhesh Yadav S/o- Jagat Yadav Resident of village- Mohabhatpur PS- Paliganj District- Patna
3. Feku Yadav @ Kamlesh Yadav S/o- Jagat Yadav Resident of village- Mohabhatpur PS- Paliganj District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 18-12-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Paliganj P.S. Case No.79 of 2024, dated 26.02.2024, registered for the offence punishable under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code.

3. As per the FIR, the petitioners, in an intoxicated condition, abused the informant, and upon protest, assaulted him with a *lathi* and *khanti*, causing a bleeding injury on his head.

4. Learned counsel for the petitioners submits



that the petitioners are innocent and have been falsely implicated in the present case. It is submitted that the alleged incident is of 21.02.2024, whereas the FIR was lodged on 26.02.2024, i.e., after a delay of five days, without any plausible explanation for such delay, which casts a serious doubt on the genuineness of the prosecution case. It is further submitted that the petitioners' side had lodged a case against the informant and his family members vide Paliganj P.S. Case No. 78 of 2024, in which the informant and his family members have been granted the privilege of anticipatory bail vide order dated 19.11.2025 passed in Cr. Misc. No. 67819 of 2025. It is also submitted that the injuries alleged to have been sustained by Baliram and Uttam are simple in nature. Lastly, it is submitted that the petitioners have six criminal antecedents arising out of a longstanding land dispute, and that there has been a series of litigations between the parties, namely: (i) Paliganj P.S. Case No. 287 of 2024, (ii) Paliganj P.S. Case No. 304 of 2024, (iii) Paliganj P.S. Case No. 305 of 2024, (iv) Paliganj P.S. Case No. 373 of 2024, (v) Paliganj P.S. Case No. 505 of 2024, and (vi) Paliganj P.S. Case No. 78 of 2024.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.



6. Considering that there is a case and counter case between the parties, 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 six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDM, Danapur/Successor Court in connection with Paliganj P.S. Case No.79 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing



any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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