

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65342 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- MANSI District- Khagaria

1. Kailoo Yadav S/O Domi Yadav Resident of Village- Dhamhara, P.S- Mansi, District- Khagaria.
2. Umesh Yadav S/O Domi Yadav Resident of Village- Dhamhara, P.S- Mansi, District- Khagaria.
3. Sakaldeo Yadav S/O Nago Yadav Resident of Village- Dhamhara, P.S- Mansi, District- Khagaria.
4. Chandradeo Yadav S/O Nago Yadav Resident of Village- Dhamhara, P.S- Mansi, District- Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 25-11-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Mansi P.S. Case No. 81 of 2025 registered for the offence punishable under Sections 115(2), 126(2), 326(F), 352, 351(2), 351(3), 303(2), 74, 329(4), 110 and 3(5) of BNS, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, petitioners and other came to the house of informant and started abusing her in filthy language. It is alleged that petitioners/ Umesh Yadav, Kailoo



Yadav and co-accused Mritunjay Yadav concertedly told to outrage the modesty of informant. It is further alleged that petitioners/ Chandradeo Yadav, Sakaldeo Yadav along with other co-accused persons concertedly pulled the saree of informant due to which she became undressed and she was also thrashed by them. It is further alleged that petitioner/Kailoo Yadav assaulted upon the informant's father-in-law by means of sword due to which he sustained injury on left hand thumb. It is further alleged that gold jewellery worth Rs. 1,40,000/- and Rs.. 10,000/- in cash was taken out by the accused persons after breaking the lock of box. It is further alleged that the accused persons set the house on fire.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. He further submits that there is no specific allegation of any overt-act against the petitioners, except Kailoo Yadav. He further submits that there is land dispute between the parties for the same date of occurrence and in cases of land dispute, facts are generally exaggerated to make the offence graver. He further submits that there is delay of near about two days as alleged occurrence took place on 30.03.2025 at 9:30 hours



whereas FIR has been registered on 01.04.2025 at 15:00 hours and no plausible explanation has been given regarding the said delay. At para-3 of the bail petition, it has been submitted that petitioner no. 1 and 2 bears criminal antecedent of one case i.e. Mansi P.S. Case No. 76 of 2006, petitioner no. 4 bears criminal antecedent of one case i.e. Manshi P.S. Case No. 43 of 2018 in which petitioners are on bail. At para-3 of the bail petition it has also been mentioned that petitioner no. 3 bears no criminal antecedent and a supplementary affidavit has been filed on behalf of the petitioners stating therein that petitioner no. 3 bears one criminal antecedent i.e. Mansi P.S. Case No. 43 of 2018 and he is on bail in the said case, as orally submitted.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that petitioner no. 1/ Kailoo Yadav assaulted the informant's father-in-law by means of sword causing injury on his left hand thumb and the same is corroborated by the injury report and hence, he does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, there is no specific allegation of any overt-act against the petitioners no. 2 to 4, argument advanced on behalf of both sides and also taking into consideration the material available on



record, the petitioners no. 2 to 4 (above-named), in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 Judicial Magistrate-1st Class, Khagaria in connection with Mansi P.S. Case No. 81 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. So far as prayer for anticipatory bail of petitioner no. 1/ Kailoo Yadav is concerned, there is specific allegation that he assaulted the informant's father-in-law by means of sword causing injury on his left hand thumb and the same is corroborated by the injury report, as is evident from para-41 of the case diary and hence, I am not inclined to extend the privilege of anticipatory bail to him. Accordingly, his prayer for anticipatory bail stands rejected.

8. Accordingly, the instant petition stands disposed of.

(Alok Kumar Pandey, J)

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