

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67642 of 2025

Arising Out of PS. Case No.-800 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Amit Kumar Yadav @ Amit Yadav @ Amit Kumar S/o Jagranath Yadav @ Jagarnath Yadav, Resident of Village- Patuaha Ward No. 24, P.S.- Saharsa Sadar, District- Saharsa, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Amarnath Jha, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-12-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Saharsa Sadar P.S. Case No. 800 of 2023 dated 09.11.2023, registered for the offences punishable under Sections 341, 323, 325, 447, 307, 354B, 379, 384, 504 and 506 read with Section 34 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, petitioner and other co-accused persons assaulted the brother and family members of the informant causing injuries to them.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the present case. The specific allegation of assaulting the brother



of informant, Lalan Kumar, is against this petitioner that he assaulted him with iron-rod on his head causing its fracture and thereafter, he further assaulted him causing fracture of his right knee. Learned counsel further submits that the injuries on Lalan Kumar (informant's brother) are laceration wounds of sizes 1" x ½" x scalp deep on occipital region of skull and 3/2" x ½" x scalp deep on left parietal region of skull. He further submits that injuries are stated to be grievous, but none of them is life threatening. Learned counsel next submits that petitioner is having antecedent of one case in which he is on bail. Learned counsel lastly submits that petitioner is in custody since 05.10.2024 and charges have been framed against the petitioner and there is no further requirement of keeping the petitioner in custody during the trial.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that the petitioner assaulted the informant and caused injuries on his head and injuries are stated to be grievous.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and framing of charge against him, the petitioner, above-named, is directed to be released on



bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-III, Saharsa / concerned Court, in connection with **Saharsa Sadar P.S. Case No. 800 of 2023**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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