

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69753 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- Shivnarayanpur District- Bhagalpur

Pawan Yadav S/o Tetar Yadav R/o Village - English, Jageshwarpur, P.S -
Shivnarayanpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Adv.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Shivnarayanpur P.S. Case No. 107 of 2024, instituted for the offences punishable under Sections 126(2), 115(2), 117(2), 118(2), 109, 303(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner along with other co-accused persons have abused and assaulted informant and others and took away other articles kept in the house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. There is an on-going land dispute between both the parties. In the alleged occurrence, both the parties have sustained injuries. There is a case and counter case between the parties. Charge-sheet has been submitted in this case. Cognizance has been taken and the charges have also been framed. He further submits that there is delay of four days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. The petitioner is in custody since 17.02.2025. Petitioner has got no criminal antecedent. Learned counsel for the petitioner again submits that the co-accused persons have been granted bail by this Court vide order dated 30.07.2025 passed in Cr. Misc. No. 26884 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. It is further submitted that the injuries sustained by the injured are grievous in nature. Hence, the petitioner do not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, case and counter case, the period of custody



undergone by the petitioner as also the prayer for bail being based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shivnarayanpur P.S. Case No. 107 of 2024.

(Rudra Prakash Mishra, J)

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