

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68257 of 2025

Arising Out of PS. Case No.-116 Year-2025 Thana- SRINAGAR District- West Champaran

1. Pradeep Kumar Yadav@Pradeep Kumar @ Sandeep Yadav S/O Balinder Yadav R/O Village- Baijua Ward No. 6, Police Station- Srinagar, District- West Champaran
2. Mantu Kumar Yadav @ Mantu Yadav S/O Rajendra Prasad Yadav R/O Village- Baijua Ward No. 6, Police Station- Srinagar, District- West Champaran
3. Umesh Yadav S/O Bachacha Yadav @Bachch Yadav R/O Village- Baijua Ward No. 6, Police Station- Srinagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Sarvesh Kashyap, learned counsel appearing on behalf of the petitioners and Mr. Raj Kishor Singh, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Srinagar P.S. Case No. 116 of 2025 registered under Sections 126(2), 115(2), 118(1), 109, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. As per the allegation made in the FIR, the petitioners along with other co-accused persons, who were attending marriage ceremony, assaulted the informant and other persons, who were also attending the marriage ceremony,



causing injury to them.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. The petitioners in spur of the moment, in self-defence, may have caused some injury on the person of the informant side and on the informant, without intention. He further submitted that the injury sustained by the informant has been opined by the doctor to be simple in nature, as would appear from the impugned order. There is case and counter case between the parties arising out of the same incidence. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that petitioners in spur of the moment, in self-defence, may have caused some injury on the person of the informant side and on the informant, without intention. The injury sustained by the informant has been opined by the doctor to be simple in nature, as would appear from the impugned order. There is case and counter case between the parties arising out of the same incidence.



7. In above view of the matter, I am of the opinion that the petitioners have, *prima facie*, made out a case to be released on pre-arrest bail

8. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran/ in connection with Srinagar P.S. Case No. 116 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

9. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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