

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68218 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- Kurth District- Arwal

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1. Naresh Yadav, Male, aged about 31 years,
 2. Ramadhar Yadav, Male, aged about 23 years,
Both sons of Late Pandit Yadav, Resident of village- Nighwa Bala Bazar,
Police Station- Kurtha, Distirct- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-10-2025 Heard Mr. Ramendra Kumar Bharti, learned counsel

appearing on behalf of the petitioners and Mr. Md. Fahimuddin,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Kurtha P.S. Case No. 86 of 2025, registered for the offence
punishable under Sections 126(2), 115(2), 117(2), 109, 303(2)
and 3/5 of the B.N.S.

3. As per the allegation made in the FIR, due to land
dispute, both the parties were engaged into fierce fight, in
which, the petitioners, with an intention to kill, had assaulted the
husband of the informant on his head causing injury.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. The present case is counterblast of Kurtha P.S. Case No. 84 of 2025, which was lodged by the petitioners' side against the informant's side. He further submitted that petitioners and informant are relative and due to ongoing land dispute between the parties, on the eventful date, a fierce fight took place between the parties, in which, father of the petitioner had sustained injury and on 17.05.2025, while he was being treated at Patna Medical College and Hospital, he succumbed to injury. The allegations against the petitioners are vague and the FIR has been lodged in self defence of the informant and their family members. He further submitted that as the father of the petitioners was brutally assaulted by the informant side, to save his life, the petitioners may have caused some injury to the husband of the informant, without any intention. Petitioners have clean antecedent. On these grounds, 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. Considering the rival submissions made on behalf of the parties, as well as, the fact that the present case is counterblast of Kurtha P.S. Case No. 84 of 2025, which was



lodged by the petitioners' side against the informant's side. Petitioners and informant are relative and due to ongoing land dispute between the parties, on the eventful date, a fierce fight took place between the parties, in which, father of the petitioner had sustained injury and on 17.05.2025, while he was being treated at Patna Medical College and Hospital, he succumbed to injury. The present FIR has been lodged against the petitioners in self defence of the informant and their family members. The father of the petitioners was brutally assaulted by the informant side and to save his life, the petitioners may have caused some injury to the husband of the informant, without any intention. Petitioners have clean antecedent. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Kurtha P.S. Case No. 86 of 2025, subject to the condition as laid down under



Section 482(2) of the BNSS.

8. 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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