

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68853 of 2025

Arising Out of PS. Case No.-157 Year-2025 Thana- CHAOUTHAM District- Khagaria

1. Uday Yadav S/O Late Devan Yadav Resident of Village- Nauranga, P.S- Choutham, District- Khagaria.
2. Ashok Yadav S/O Late Devan Yadav Resident of Village- Nauranga, P.S- Choutham, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-09-2025 Heard Mr. Santosh Kumar Singh, learned counsel for the petitioners and Mr. Abhay Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chaoutham P.S. Case No.157 of 2025, F.I.R. dated 13.06.2025 for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 303(2), 352, 351(2), 351(3), 3(5) of Bharatiya Nyay Sanhita and Section 27 of the Arms Act.

3. According to prosecution case, the informant alleged that when he was planting manigra in the field with tractor, in the meantime, the petitioners along with other accused persons came and started abusing and assaulted him.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR itself that due to land dispute the present occurrence has taken place. Although the petitioners are named in the FIR but there is no specific allegation of assault or overt act against them rather the allegation against them are general and omnibus.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and the fact that petitioners have clean antecedent and there is no specific allegation of assault or overt act against them rather the allegation against them are general and omnibus, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Chaoutham P.S. Case No.157 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and



with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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