

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69636 of 2025

Arising Out of PS. Case No.-330 Year-2025 Thana- KONCH District- Gaya

Abhinash Yadav @ Avinash Kumar S/O Hippi Yadav @ Ajay Yadav R/O
Vill.- Nighai Sinduari, P.S.- Konch, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-09-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Konch P.S. Case No. 330 of 2025, dated 17.06.2025, registered under Sections 126(2), 115(2), 303(2), 110, 3(5) of the B.N.S and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on 15.06.2025 at about 08:30 AM. informant's son Purushottam Kumar and Roshan Kumar went to their farm land (field), where water pump was installed and they saw that their connecting pipe to supply water on otherside was being taken away by the accused petitioners. When they rushed and tried to object against this incident, accused petitioner no. 1, hit Puroshattam Kumar on his head from the butt of pistol, causing head injury. Petitioner no. 2 assaulted Raushan Kumar by firing from pistol with intention to



kill and petitioner no. 3 snatched Bajrangbali golden locket from the neck of Purushottam Kumar.

4. It is submitted by the learned counsel for the petitioner that allegation against this petitioner to have caused injury on the head by the butt of the pistol over Purushottam Kumar, who is said to have sustained injury and on examination by the treating Doctor, the injury is found to be simple in nature. There is counter version to the entire episode being Konch P.S. Case No. 331 of 2025, dated 17.06.2025, under Sections 126(2), 115(2), 110, 352, 3(5) of the B.N.S. and that case is also under investigation. Due to certain dispute pertaining to connection of water supply pipe the hitted exchange took place between them. The petitioner has clean antecedent.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts that the injury, which is said to have been sustained by the informant's son is simple in nature, petitioner has no criminal antecedent, for trivial issue, the incident took place and there being case and counter case, let the above named petitioner, be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each, to the satisfaction of the learned A.C.J.M.-VIII, Gaya in connection with Konch P.S. Case No. 330 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;

(ii) the petitioner (s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner (s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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