

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74762 of 2025

rising Out of PS. Case No.-100 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Yogesh Kumar Sharma @ Yogesh Sharma @ Yogesh Kumar @ Yugesh Sharma S/O Madan Sharma R/O Village- Laguniya Suryakanth, P.S.- Samastipur Muffasil, Dist.- Samastipur
 2. Abhishek Kumar @ Abhishek Sharma Jai Prakash Sharma @ Jay Prakash Verma R/O Village- Laguniya Suryakanth, P.S.- Samastipur Muffasil, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-11-2025

Heard Mr. Abhay Shanker Singh, learned counsel

for the petitioners and Mr. Surendra Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Samastipur Muffasil P.S. Case No. 100 of 2025, F.I.R. dated 05.03.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 329(3), 189(2), 109, 352 and 3(5) of the B.N.S, 2023.

3. Earlier the petitioners have moved before this Court in Cr. Misc. No. 47342 of 2025 but the same was dismissed as withdrawn with liberty to the petitioners to file a fresh application vide order dated 31.07.2025.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that due to admitted land dispute between the parties the present occurrence took place. The present case is the counter blast of Samastipur Muffasil P.S. Case No. 99 of 2025 filed by the family members of the petitioners against the informant and his family members. He further submits that the petitioners are named in the F.I.R and there is specific allegation against them that they have assaulted the informant and his family members but the injury report of the injured persons suggest that all the injuries are simple in nature.

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

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, there is case and counter case between the parties and all the injuries are simple in nature, 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 Additional Chief Judicial Magistrate-II, Samastipur in



connection with Samastipur Muffasil P.S. Case No. 100 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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 petitioner. 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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