

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77500 of 2025

Arising Out of PS. Case No.-272 Year-2025 Thana- NARDIGANJ District- Nawada

1. Gurucharan Yadav S/O Late Ramswarup Yadav R/O Vill.- Bichli Buchchi, P.S.- Nardiganj, Dist.-Nawada
2. Rambilash Yadav S/O Late Ramswarup Yadav R/O Vill.- Bichli Buchchi, P.S.- Nardiganj, Dist.-Nawada
3. Chhotu Yadav @ Chhotu Kumar S/O Late Ramswarup Yadav R/O Vill.- Bichli Buchchi, P.S.- Nardiganj, Dist.-Nawada
4. Anoj Kumar S/O Balmiki Yadav R/O Vill.- Bichli Buchchi, P.S.- Nardiganj, Dist.-Nawada

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr.Raj Kishor Singh, APP
For the Informant	:	Mr. Sheo Kumar Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Binod Kumar Sinha, learned counsel for the petitioners, Mr. Sheo Kumar Prasad, learned counsel for the informant and Mr. Raj Kishor Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Nardiganj P.S. Case No. 272 of 2025, F.I.R. dated 21.07.2025 for the offences punishable under Sections 126(2), 127(2), 351(2), 352, 76, 115(2), 109, 303(2), 3(5) of B.N.S. and Section 27 of the Arms Act.

3. According to prosecution case, on July 25, 2025, at



approximately 10:00 AM, the informant's father, Dwarika Yadav, was on his way to his field when the FIR-named accused persons, including the petitioners, armed themselves and started abusing him. Balmiki Yadav fired from a country-made rifle and ordered Gurucharan Yadav (petitioner no. 1), who then fired from a rifle, causing injury to Dwarika Yadav's palm. Anoj Yadav (petitioner no. 4) also fired from a rifle, causing Dwarika Yadav to fall to the ground. Subsequently, Rambilash Yadav (petitioner no. 2) and Chhotu Yadav (petitioner no. 3) assaulted him with a gadasa (axe), injuring his leg. When Pinki Kumari attempted to rescue her grandfather, Gurucharan assaulted her neck with a rifle butt, while Chhotu Yadav and Anoj Yadav snatched her ornaments and tore her clothes. The incident occurred due to a land dispute.

4. Learned counsel for the petitioners submits that petitioner no. 1 has one criminal antecedent other than the present one in which he is on bail and petitioner nos. 2 to 4 have no criminal antecedent other than the present one and they have falsely been implicated in the present case. From perusal of the FIR, it appears that petitioner no. 1, namely, Gurucharan Yadav has fired upon the informant/ victim namely, Dwarika Yadav due to which he sustained three injuries which is caused by hard



and blunt substance which suggest that allegations as alleged in the FIR are false and fabricated and apart from aforesaid the allegation against petitioner nos. 2 to 4 is that they have also fired upon the victim.

5. The learned counsel for the informant and learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioners on the ground that petitioners are named in the FIR and petitioner no. 1 has fired upon the victim due to which he has received three injuries out of which one injury is grievous in nature.

6. Considering the aforesaid facts and circumstances, and the fact that although the, petitioner no. 1 has fired upon victim, namely, Dwarika Yadav but the injury report of the victim suggests that injury was caused by hard and blunt substance and the same is not supported by any medical evidence, 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 J.M. 1st Class, Nawada in connection with Nardiganj P.S. Case No. 272 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 tamper 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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