

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78245 of 2025

Arising Out of PS. Case No.-123 Year-2025 Thana- BIND District- Nalanda

1. Laltush Yadav S/o Late Wirsi Yadav @ Veerasi Yadav Resident of Village - Madanchak (Madan Chak), P.S - Bind, District - Nalanda
2. Santosh Yadav S/o Late Wirsi Yadav @ Veerasi Yadav Resident of Village - Madanchak (Madan Chak), P.S - Bind, District - Nalanda
3. Pawan Yadav S/o Late Wirsi Yadav @ Veerasi Yadav Resident of Village - Madanchak (Madan Chak), P.S - Bind, District - Nalanda
4. Biltu Yadav S/o Sri Mithu Yadav @ Mitthu Yadav Resident of Village - Madanchak (Madan Chak), P.S - Bind, District - Nalanda
5. Rudal Yadav S/o Sri Mithu Yadav @ Mitthu Yadav Resident of Village - Madanchak (Madan Chak), P.S - Bind, District - Nalanda
6. Soni Kumar S/o Sri Mithu Yadav @ Mitthu Yadav Resident of Village - Madanchak (Madan Chak), P.S - Bind, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Manish Kumar No 13, learned counsel

appearing on behalf of the petitioners and Mr. Dilip Kumar No.

1, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Bind P.S. Case No. 123 of 2025 registered for the
offence(s) punishable under Sections 191(2), 191(3), 190,
126(2), 115(2), 76, 352 and 351(2) of the BNS and Section 27
of the Arms Act.



3. As per the allegation made in the FIR, the accused persons named therein including the petitioners have assaulted and outraged the modesty of the informant and they also brutally assaulted her son, as a result of which, they sustained injuries.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case due to village politics. General and omnibus allegation has been levelled against the petitioners. Specific allegation of assaulting is against other co-accused persons. Petitioners no.4 and 6 have clean antecedents, whereas, petitioners no.1, 2, 3 and 5 have three criminal antecedents.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and also considering the fact that petitioners no.1, 2, 3 and 5 have three criminal antecedents, **I am not inclined to grant pre-arrest bail to the petitioners no.1, 2, 3 and 5.**

7. However, the **petitioners no.1, 2, 3 and 5**, if so



advised, may surrender before the learned District Court and seek regular bail. In that case, the learned District Court is directed to consider the bail application of the said petitioners on the same day and pass necessary order on the basis of material which has come in course of investigation without delay.

8. So far as petitioners no. 4 and 6 are concerned, considering their clean antecedents, **petitioners no. 4 and 6, 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 learned Judicial Magistrate, 1st Class, Nalanda / Concerned Court in connection with Bind P.S. Case No. 123 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

9. The learned District Court is directed to verify the criminal antecedent of the petitioners no.4 and 6 and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.



10. The bail application is, accordingly, disposed of.

(Purnendu Singh, J)

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