

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78973 of 2025

Arising Out of PS. Case No.-32 Year-2021 Thana- KADWA District- Katihar

-
1. Subodh Kumar Yadav S/O Late Shatrughan Yadav R/O Village- Medoul, P.S.- Kadwa, District- Katihar
 2. Shivam Kumar Yadav Son of Subodh Kumar Yadav. Resident of Village- Medoul, P.S.- Kadwa, District-Katihar.
 3. Aman Kumar @ Aman Kumar Yadav Son of Subodh Kumar Yadav. Resident of Village-Medoul, P.S.- Kadwa, District-Katihar.
 4. Usha Devi Wife of Subodh Kumar Yadav. Resident of Village-Medoul, P.S.- Kadwa, District-Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravi Lal Yadav son of Biddu Yadav R/O Village- Medoul, P.S.- Kadwa, District- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Chandra Prasad, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-12-2025 Heard Mr. Pravin Chandra Prasad, learned counsel

 appearing on behalf of the petitioners and Mr. Anil Kumar,

 learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Kadwa P.S. Case No. 32 of 2021 registered for the
offence(s) punishable under Sections 341, 323, 324, 379, 504,
506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the
petitioners destroyed the mustard crop of the informant and also



assaulted the informant, as a result of which, he sustained injuries, attributable against all the petitioners.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Specific allegation of assaulting the informant by means of sword on his head is against co-accused Aman Kumar (petitioner no.3) and against rest of the petitioners, there is general and omnibus allegation.

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 as, having perused the allegation made in the FIR, I find that specific allegation of assaulting the informant by means of sword on his head is against co-accused/Aman Kumar (petitioner no.3), causing head injury, which is found to be grievous in nature and the said fact has come in the impugned order, **I am not inclined to grant pre-arrest bail to the petitioner no.3.**

7. So far petitioners no.1, 2 and 4 are concerned, above named, they 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 Chief Judicial Magistrate, Katihar / Concerned Court in connection with Kadwa P.S. Case No. 32 of 2021, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the **petitioners no.1, 2 and 4** and if it is found that the **petitioners no.1, 2 and 4** 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.

9. The bail application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

