

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79124 of 2025

Arising Out of PS. Case No.-150 Year-2025 Thana- KEWATI District- Darbhanga

1. Rama Nand Yadav S/o Late Ganga Ram Yadav R/o Village - Sahpur Dih Tola Postapur, P.S - Keoti, District - Darbhanga
2. Sharda Nand Yadav S/o Late Ganga Ram Yadav R/o Village - Sahpur Dih Tola Postapur, P.S - Keoti, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 16-12-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Keoti P.S. Case No. 150 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 352, 351(2), 109, 74, 303(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly while the uncle of the informant was returning to his home, in the meanwhile, petitioner no.1 along with co-accused Mukesh Yadav surrounded him and brutally assaulted. Co-accused Mukesh Yadav further snatched Rs.1500/-. When the uncle of the informant came to his home and thereafter the informant and others were talking to each other and making protest, in the meanwhile, all the F.I.R. named accused persons, including the petitioners, variously armed with



Lathi and *Iron* rod came there and assaulted the informant and others. It is specifically alleged that petitioner no.1 and co-accused Mukesh Yadav assaulted the informant by means of *Farsa*, due to which he sustained head injury.

4. Learned Advocate for the petitioners referring to the F.I.R. contended that on account of a previous dispute, the parties have entered into a scuffle, due to which some unfortunate injury sustained to the persons of both the sides. So far petitioner no.2 is concerned, there is no specific allegation of any overt act. Moreover, the petitioner no.1, who is allegedly assaulted the informant with co-accused Mukesh Yadav, is concerned, the injury has been found to be simple in nature, as has been stated in para.9 of the bail application. The petitioner no.1 bears one criminal antecedent, whereas petitioner no.2 has absolutely fair antecedent and they undertake that they will fully cooperate in the proceeding of the court and would not indulged in intimidating or threatening the informant/witnesses.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that there is no clear disclosure with regard to the nature of the injury in the impugned order and petitioner no.1 has specifically assaulted the informant.

6. Having considered the submissions advanced by



the learned Advocate for the respective parties and taking note of the nature of accusation and the statement of the petitioners that the injury allegedly sustained to the informant is simple in nature, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Darbhanga in connection with Keoti P.S. Case No. 150 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further conditions:

(i) One of the bailors shall be the own/close relative of the petitioners.

(ii) In case, the nature of injury, which is allegedly sustained to the informant is found to be grievous in nature, in such circumstances, the order granting anticipatory bail to petitioner no.1 shall not be given effect to.

(Harish Kumar, J)

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