

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82979 of 2025

Arising Out of PS. Case No.-207 Year-2024 Thana- LAUKAHA District- Madhubani

1. Yudhisthir Yadav S/o Kokan Yadav, R/o Vill.- Madhopur, P.S.- Laukaha, Dist.- Madhubani.
2. Surendra Yadav @ Surendra Kumar Yadav S/o Satya Narayan Yadav, R/o Vill.- Madhopur, P.S.- Laukaha, Dist.- Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Baleshwar Kamat, Advocate
For the Opposite Party/s :	Mr. Pintu Kumar Patel, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Laukaha P.S. Case No. 207 of 2024 dated 09.11.2024 (G.R. No. 1791 of 2024), registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352 and 351(2) read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, in the background of earlier land dispute, the petitioners and other co-accused persons stopped the motorcycle of the informant and brutally assaulted him. They also snatched rupees six thousand and five hundred and a mobile phone from the informant. The petitioner,



Yudhisthir Yadav, took away the motorcycle of the informant, stopped and the body of the informant was thrown in a bamboo plum.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners have falsely been implicated in the present case. The allegation against the petitioner Surendra Yadav is of assaulting the informant with iron-rod and it is stated that he received the injury on his neck. Further allegation is against co-accused Shiv Sagar Kunwar, who assaulted the informant on his head causing its fracture. The allegation against petitioner Yudhisthir Yadav is that he fled away with the motorcycle of the informant, but the injury report of the informant shows only a laceration of frontal scalp of size 3" x 1/16" and another injury of tenderness and pain over left lower leg and complaint of full body pain. The injury report falsifies the allegation that the petitioner assaulted the informant because no such injury as alleged has been found over the body of the informant. The allegation of theft of motorcycle by the petitioner Yudhisthir Yadav is false and concocted. The falsity is apparent from the fact that occurrence took place on 21.10.2024, whereas the *fardbayan* has been recorded on 29.10.2024, i.e., after lapse of nearly a week and without any plausible



explanation. This shows that FIR is a deliberate action on part of the informant, who registered the same with completely false and fabricated allegation. Learned counsel next submits that petitioner no. 1 is having antecedent of 5 cases and petitioner no. 2 is having antecedent of 3 cases. Learned counsel lastly submits that petitioners are in custody since 23.06.2025 and chargesheet has been submitted.

5. Learned A.P.P. appearing on behalf of the State and learned counsel for the informant oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that there is allegation of brutal assault against the petitioners. The petitioner Yudhisthir Yadav ran away with the motorcycle of the informant which has not been recovered.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and also considering the period of custody of the petitioners and submission of chargesheet, the petitioners, above-named, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jhanjharpur,



Madhubani / concerned Court, in connection with **Laukaha P.S.**
Case No. 207 of 2024, subject to the condition laid down under
Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.*
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial Court.*
- (iii) In case of non-appearance of the petitioners on single date or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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