

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80435 of 2025

Arising Out of PS. Case No.-369 Year-2024 Thana- GUTHANI District- Siwan

Pavan Kumar Yati @ Pawan Yati son of Mohan Yati Resident of Village- Tali
Kurmaha P.S.- Guthani, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-12-2025 Heard Mr. Ajay Kumar Pandey, learned counsel for
the petitioner and Mr. Nand Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Guthani P.S. Case No. 369 of 2024, F.I.R. dated
26.12.2024 for the offences punishable under Sections 126(2),
115(2), 118(1), 117(2), 109, 352, 351(2), 3(5) of the Bhartiya
Nyay Sanhita, 2023.

3. As per the First Information Report, while the
measurement of the land in question was going on, then the
petitioner along with other co-accused persons came and started
assaulting the informant due to which he sustained injury.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. From bare perusal of the FIR it appears that there is admitted land dispute between the parties and there is case and counter case also. Although the petitioner is named in the FIR but there is no specific allegation of assault against him. He further submits that although the informant received injury but his injury report suggest that injury inflicted upon him is simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that there is case and counter case between the parties and injury inflicted upon the informant is simple in nature and the petitioner has clean antecedent, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned J.M-1st Siwan in connection with Guthani P.S. Case No. 369 of 2024, 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. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond 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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