

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81181 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- MANIGACHI District- Darbhanga

Bittu Yadav @ Bittu Kumar Yadav, aged about 22 years, Male, S/O Shiv Shankar Yadav, Resident of Village- Jay Nagar, P.S.- Manigachi, Dist- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-12-2025 Heard Mr. Saurav Anand, learned counsel appearing on behalf of the petitioner and Mr. Akshay Lal Pandit, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Manigachi P.S. Case No. 125/2025 registered for the offence(s) punishable under Section 309(6) of the BNS.

3. As per the allegation made in the FIR, the accused persons have assaulted the informant, as a result of which, he became unconscious.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR and name of the petitioner has surfaced in this case on



the basis of confessional statement of co-accused/ Jay Prakash Tahakur, with whom he has inimical terms and confessional statement made before police has no evidentiary value. He further submitted that now the matter has been compromised between the petitioner and the informant. Petitioner has clean antecedent.

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, I find that no loss of any article is alleged in the FIR and conduct of the informant is also not very convincing, as he has entered into compromise with the petitioner and after informant having entered into the compromise, observation can be made with regard to the law laid down by the Apex Court in case of *Naushey Ali Vs. State of U.P.*, reported in *(2025) 4 SCC 78*.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his 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) with two sureties of the like amount each to the



satisfaction of learned A.C.J.M.-VI, Darbhanga / Concerned Court in connection with Manigachi P.S. Case No. 125/2025, 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 petitioner and if it is found that the petitioner is 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.

(Purnendu Singh, J)

Sanjay/-

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