

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81250 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- BICHKODWA District- Jamui

- 1. Bhuneshwar Yadav @ Bhuneshwar Mahto @ Bhuwaneshwar Yadav S/O Kartik Mahto R/O village- Bakshila, P.S.- Bichkorwa, District- Jamui
- 2. Kailash Yadav @ Kailash Mahto S/O Kartik Mahto R/O village- Bakshila, P.S.- Bichkorwa, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 81255 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- BICHKODWA District- Jamui

- 1. Rohit Yadav @ Rohit Kumar Yadav S/o- Kailash Yadav @ Kailash Mahto Village-Bakshila, PS- Bichkorwa, District- Jamui
- 2. Nandu Yadav S/o- Bhuneshwar Yadav @ Bhuneshwar Mahto Village- Bakshila, PS- Bichkorwa, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 81250 of 2025)
For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Adv.
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP
(In CRIMINAL MISCELLANEOUS No. 81255 of 2025)
For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Adv.
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-12-2025 Since both the applications have arisen with respect to

same incidence and the same P.S. case and, as such, the matters

are heard together and are being disposed off by this common

order.



2. Heard the learned Advocate for the petitioners and the learned Additional Public Prosecutor for the State.

3. The petitioners apprehend their arrest in connection with Bichkorwa P.S. Case No. 6 of 2025, registered for the offences punishable under Sections 126(2), 115, 118(1), 117, 109, 351(2), 352 and 3(5) of the BNS.

4. Allegedly a meeting between the parties was held on 28.02.2025 in order to resolve the land dispute and the next date for meeting was scheduled on 17.03.2025. However, on being dissatisfied with the same, the petitioners along with other accused persons started abusing the informant and others. It is specifically alleged that the petitioners have brutally assaulted the injured Damodar Yadav, Mahendra Yadav and others leading to fracture of their hands and causing severe injuries. There is further allegation against other accused persons of causing assault to the informant and others, due to which they have also sustained serious injuries.

5. Learned Advocate for the petitioners referring to the FIR contended that undisputedly the occurrence took place on 28.02.2025, but the present FIR came to be instituted on 03.03.2025, without there being any plausible explanation for delay. In the said incidence, the persons of the petitioners side



also sustained injuries, leading to institution of case and counter case bearing Bichkorwa P.S. Case No. 7 of 2025. The petitioners are men of fair antecedent and they undertake before this Court that they will fully co-operate in the proceeding and would not indulge in any incidence in future.

6. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioners have brutally assaulted the injured persons, who sustained grievous injuries.

7. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the fact that though the injureds have sustained grievous injury, but the same is on non vital part, coupled with the factum of case and counter case, besides the delay in lodging of the FIR, as well as the fair antecedent of the petitioners, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Jamui in connection with Bichkorwa P.S. Case No. 6 of 2025, subject to the conditions



laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that **(i)** one of the bailors shall be the own/close family members of the petitioners **(ii)** if the petitioners shall found indulge in such activities or intimidating or threatening the witnesses/informant, the informant or the State shall be at liberty to file an application for cancellation of their bail.

(Harish Kumar, J)

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