

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82377 of 2025

Arising Out of PS. Case No.-434 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

Vijay Yadav S/o Vakil Rai, Resident of Village - Laxmipur, P.S - Muffasil,
District - East Champaran, Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
		Ms. Isha Mishra, Advocate
For the Opposite Party/s	:	Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Motihari Muffasil P.S. Case No. 434 of 2025 dated 07.07.2025, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 76, 303(2), 352 and 351(2) read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, on refusal of son of the informant to lend his motorcycle to son of this petitioner, the petitioner and other co-accused persons attacked the house of the informant and assaulted the informant, his son and other family members causing a number of injuries to them.

4. Learned counsel appearing on behalf of the petitioner submits that there is specific allegation of assault



against this petitioner and the only allegation against this petitioner is of giving order for assaulting the informant and his family members. The allegation of assault against the informant is against Sanjay Yadav. The son of informant was assaulted by co-accused Arvind Yadav and Dharmendra Yadav. The wife of the informant was assaulted by co-accused Sudhir Kumar, Sachin Kumar and Lalu Kumar and co-accused Dharmendra Yadav snatched gold chain worth Rs. 1.5 *bhar*. Learned counsel further submits that the petitioner is falsely implicated due to malicious intention and grudge between the parties. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 08.07.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no allegation of any specific overt act against the petitioner and further considering his clean antecedent, his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with



two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari / concerned Court, in connection with **Motihari Muffasil P.S. Case No. 434 of 2025**, 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 petitioner.

(ii) The petitioner 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 petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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