

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83353 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- SUPAUL District- Supaul

Bisundev Yadav @ Bishundev Yadav Son of Late Yugeswar Yadav Resident
of Bairo, Ward No. 11, P.S.- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Patla Kumari, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-12-2025 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Supaul P.S. Case No. 161 of 2025, registered for the
offences punishable under Sections 191(2), 190, 126(2), 115(2),
109, 117(2), 74 and 352 of the B.N.S., 2023.

3. While the husband of the informant was working in
his field, in the meanwhile, altogether twenty-two named
accused persons came there and started abusing. It is
specifically alleged that on the exhortation made by co-accused
Pradeep Yadav, all the other accused persons brutally assaulted
the informant and his family members, due to which they
sustained serious injuries. The petitioner is said to have
assaulted *Manish Kumar Yadav* by means of *lathi*, who has
sustained head injury over his head. There is further allegation



against other accused persons of causing assault.

4. Learned Advocate for the petitioner submitted that admittedly on account of a land dispute, the parties have entered into a free fight, resulting into some unfortunate injuries to persons of both the sides and institution of case and counter case being Supaul P.S. Case No. 162 of 2025. So far the injury, which is allegedly sustained to the injured *Manish Kumar Yadav* is concerned, he has sustained two injuries over his body; one over his head and the another over his hand, out of which one injury sustained over the head has been found to be grievous in nature. But, this fact cannot be ignored that there is no allegation of repetition of blow and the delay in lodging of the FIR also suggest deliberation and false implication of the petitioner, who being one of the head of the family. It is further submitted that the petitioner is a man of fair antecedent, aged about 68 years, though it has wrongly been mentioned in the cause title of the petitioner as 76 years. Now he undertakes that he will fully co-operate in the proceeding of the Court and would not indulge in such activities in future.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that because of the assault being made by the petitioner, the injured has sustained grievous injury over his head.



6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the factum of delay in lodging of the FIR, coupled with the case and counter case as well as the fact that the petitioner is a man of 68 years, having fair antecedent, let the petitioner above named be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 161 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further conditions that:-

(i) One of the bailors shall be the own/close family members of the petitioner.

(ii) In case, if the petitioner shall found indulge in intimidating or threatening the witnesses/informant or would indulge in such activities in future, the informant/State shall be at liberty to file an application for cancellation of his bail.

(Harish Kumar, J)

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