

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83317 of 2025

Arising Out of PS. Case No.-401 Year-2025 Thana- PIRPAINTI District- Bhagalpur

1. Chamaklall Yadav S/O Kailash Yadav R/O Village- Kahalgaon Tola, P.S- Pirpainti, Distt.- Bhagalpur.
2. Akhilesh Yadav S/O Dasarath Yadav R/O Village- Kahalgaon Tola, P.S- Pirpainti, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajive Ranjan Singh, Adv.
For the State	:	Mr. Satyendra Narain Singh, APP
For the Informant	:	Mr. Swapnil Kr. Singh, Adv. Mr. Shivam Raj, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-12-2025 Heard learned Advocate for the petitioners and learned Additional Public Prosecutor for the State as well as the learned Advocate for the informant.

2. The petitioners are apprehending their arrest in connection with Pirpainti P.S. Case No. 401 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2), 3(5) of the BNS and Section 27 of the Arms Act.

3. Allegedly, on the fateful day, when the son and nephew of the informant had gone to *hatt*, in the meanwhile, the petitioner No. 1 and co-accused, Bhagirath Yadav @ Bittu Yadav have threatened them with dire consequences and directed to withdraw the case instituted against them. The



accused persons also assaulted the informant's son and nephew by fists and slaps. When this incidence has been brought to the knowledge of Dasrath Yadav, who happens to be father of petitioner No. 1 (Chamaklall Yadav), all the accused persons, variously armed, assaulted the informant. It is specifically alleged that the petitioner No. 2 assaulted over the head of the informant's son, due to which he sustained serious injury. The petitioner No. 1 also assaulted the nephew of the informant by means of *lathi* due to which he sustained injury.

4. Learned Advocate for the petitioners submitted that the parties are agnates and on account of previous dispute, they entered into a scuffle resulting into injuries to persons of both the sides. There is counter version of the present case being Pirpainti P.S. Case No. 400 of 2025 instituted against the informant and others, which is on earlier point of time. The alleged occurrence took place in the evening of 03.09.2025 and the same has been instituted on 04.09.2025. Only on account of two criminal antecedent in the name of petitioner No. 1 and one criminal antecedent in the name of petitioner No. 2, their prayer for bail has been negated by the court below.

5. On the other hand, learned Advocate for the State and the informant vehemently opposed the bail application. It is



submitted that the son of the informant has received a grievous injury over his head, which is specifically attributed to petitioner No. 2. So far the petitioner No. 1 is concerned, he is carrying two criminal antecedent and indulged in threatening the informant and his family members, besides the specific accusation that he also assaulted the nephew of the informant, though the nature of injury has not been discussed in the impugned order.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the specific accusation against the petitioners, coupled with the criminal antecedent, as has been disclosed in para-3, this Court is not acceded to the prayer for anticipatory bail to the petitioners. Accordingly, the prayer for anticipatory bail to the petitioners stands rejected.

7. However, if the petitioners surrender before the court below, preferably within a period of four weeks from today, their prayer for bail shall be considered without being prejudiced by the order of this Court.

(Harish Kumar, J)

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