

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84708 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- Safiyasarai District- Munger

- 1. Dulka Yadav Son of Late Sahdeo Yadav R/o Village - Prem Tola Farda, P.S. - Safiyasarai, District - Purnia.
- 2. Kanhaiya Yadav Son of Late Sahdeo Yadav R/o Village - Prem Tola Farda, P.S. - Safiyasarai, District - Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 84977 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- Safiyasarai District- Munger

Sethu Kumar S/O Ramratan Yadav R/O Village - Prem Tola Farda, P.S- Safiyasarai, District - munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 84708 of 2025)
For the Petitioner/s : Mr.Vivekanand Singh, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP
(In CRIMINAL MISCELLANEOUS No. 84977 of 2025)
For the Petitioner/s : Mr.Vivekanand Singh, Advocate
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

02. Since both the petitions arise out of Safiyasarai
P.S. Case No. 81 of 2025 they are taken up together and are



being disposed of by this common order.

03. In the present case, the petitioners seek bail in connection with Safiyasarai P.S. Case No. 81 of 2025 registered for the alleged offences under Sections 191(2), 193(3), 190, 126(2), 115(2), 132, 196, 109(1), 285 of B.N.S. and Sections 30/27 of the Arms Act.

04. As per prosecution case, police received information about huge unlawful assembly of two communities resorting to firing over each other in the background of land dispute. Police party reached at the spot and tried to pacify the members of unlawful assembly. But they did not pay any heed to the advise of the police party and started scuffling with it. Thereafter, petitioner Sethu Kumar was apprehended along with ten other persons. The other petitioners have been named by the local Chowkidar as the persons who along with other co-accused persons fled away from the spot. The recovery of 12 bore gun, revolver and cartridges of different bores were recovered from the house of co-accused Bablu Mallick.

05. Learned counsel for the petitioners submits that the allegations are completely vague and omnibus and falsity of the allegation against the petitioners is apparent. Though petitioner Sethu Kumar was apprehended from the spot but no



recovery was made from him as well. Other petitioners Dulka Yadav and Kanhaiya Yadav have been named by the Chowkidar along with 19 other co-accused persons and 40-50 unknown persons stated to be involved in the occurrence. The petitioners are having clean antecedent and they are in custody since 28.09.2025 and 29.09.2025.

06. Learned APP opposes the submission made on behalf of the petitioners.

07. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely vague nature of allegation and also considering the period of custody of the petitioners and their clean antecedent, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger/concerned Court in connection with Safiyasarai P.S. Case No. 81 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present



on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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