

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83664 of 2025

Arising Out of PS. Case No.-239 Year-2025 Thana- KASIMBAZAR District- Munger

1. Nilesh Kumar @ Pukar Yadav @ Ram Pukar Yadav Son of Naresh Kumar @ Ganga Yadav R/o Hasnganj English, Safiyabad, P.S. - Kasim Bazar, District - Munger.
2. Premlal Yadav @ Prem Yadav Son of Naresh Kumar Yadav @ Ganga Yadav R/o Hasnganj English, Safiyabad, P.S. - Kasim Bazar, District - Munger.
3. Raj Kumar Yadav @ Raju Yadav @ Raj Kumar Son of Moti Lal Yadav R/o Hasnganj English, Safiyabad, P.S. - Kasim Bazar, District - Munger.
4. Bauku Yadav Son of Jangali Yadav R/o Hasnganj English, Safiyabad, P.S. - Kasim Bazar, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Adv.
For the Opposite Party/s : Mr. S. N. Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-12-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Kasim Bazar P.S. Case No. 239 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 127(2), 109, 303(2), 351(2), 352, 3(5) of the BNS and Section 27 of the Arms Act.

3. On the fateful day, while the informant was coming to his shop, in the meanwhile, he was surrounded by all the FIR named accused persons, including the petitioners, and they brutally assaulted and snatched the valuables leading to institution of the FIR.



4.Learned Advocate for the petitioners submitted that prior to the institution of the present case, the family members of the petitioners had instituted Kasim Bazar P.S. Case No. 238 of 2025 against the informant and his family members and the present case is nothing but a counter blast. It is also contended that the reason for false implication, as has been assigned by the informant in the FIR that Rana Yadav and others have threatened to withdraw the case bearing Kasim Bazar P.S. Case No. 225 of 2025, which was lodged by his sister-in-law, also does not inspire confidence, inasmuch as, the petitioners are not accused in the said case. So far the injuries which are allegedly sustained to the informant are concerned, the same have not been on vital part as the injuries opined as follows: “*Nature of injury-X-ray bilateral hand AP and lateral X-ray left leg. Fracture right 4th and 5th metacarpal bone and fracture left 5th metatarsal bone, so injury is grievous caused by hard and blunt substance.*” Learned Advocate for the petitioner lastly submitted that be that as it may, the petitioner Nos. 2 and 4 are men of clean antecedent, whereas petitioner Nos. 1 and 3 bear one criminal antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the



petitioners have actively participated in the crime and brutally assaulted the informant along with other accused persons.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the omnibus nature of allegation, besides the factum of case and counter case as well as the injuries over non vital part, let the petitioners abovenamed 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 Chief Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 239 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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