

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84566 of 2025

Arising Out of PS. Case No.-876 Year-2025 Thana- MADHEPURA District- Madhepura

1. Ashok Kumar @ Ashok Yadav @ Ashok Kumar Yadav, Son of Late Yadunandan Yadav R/o - Bhirkhi, Ward No.23, P.S. - Madhepura, District - Madhepura.
2. Abhishek Kumar Son of Ashok Kumar @ Ashok Yadav @ Ashok Kumar Yadav R/o - Bhirkhi, Ward No.23, P.S. - Madhepura, District - Madhepura.
3. Abhinav Kumar Son of Ashok Kumar @ Ashok Yadav @ Ashok Kumar Yadav R/o - Bhirkhi, Ward No.23, P.S. - Madhepura, District - Madhepura.
4. Yuvraj Kumar @ Gurbendra Kumar @ Guruvindar Son of Late Pradeep Yadav R/o - Bhirkhi, Ward No.23, P.S. - Madhepura, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr Sanjay Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-12-2025 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Madhepura P.S. Case No.876 of 2025 registered for the offences punishable under Sections 115(2), 126(2), 308(2), 76, 117(2), 109, 303(2), 3(5) of the BNS, 2023 and Section 27 of the Arms Act.

3. On the fateful day, all the FIR named accused persons, including the petitioners variously armed with weapon barged into the house of the informant and started demanding extortion. On protest, co-accused Ashok Yadav made



exhortation, whereupon the petitioners along with others brutally assaulted the informant and his family members, besides there is allegation of snatching of valuables.

4. Learned Advocate for the petitioners contended that the genesis of the occurrence is nothing but a land dispute, as is evident from the pendency of Title Suit No.227 of 2023, besides proceeding under Section 107 CrPC between the parties. In fact, on the fateful day, the parties were entered into a free fight resulting into injuries to persons of both the sides but the prosecution has failed to explain the injuries, which are allegedly sustained to the persons of the petitioners' side. Moreover, the incident led to institution of case and counter case being Madhepura P.S. Case No.875 of 2025, which is on earlier point of time. The injuries which are allegedly sustained to the injured persons of the informant's side, though out of six persons four of them sustained simple injuries, whereas two of them sustained grievous injuries, but admittedly on the non-vital part. To support the aforesaid contention, the injury reports have been placed on record. The petitioners are the men of fair antecedent and they undertake that they will fully cooperate in the proceeding of the Court and would not indulge in such incidents in future.



5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that because of the assault being made by the petitioners and others, two persons have sustained grievous injury.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the genesis of the occurrence, coupled with the free fight between the parties resulting into case and counter case, besides the fair antecedent of the petitioners as well as the injuries on the non-vital part, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhepura in connection with Madhepura P.S. Case No.876 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

rohit/-

U		T	
---	--	---	--

