

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7137 of 2025

Arising Out of PS. Case No.-191 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

Bir Bahadur Yadav @ Bahadur Yadav S/o Late Lalan Yadav R/o vill- Bara
Basantpur, P.S.- Ara Muffasil, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Ankita Roy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-02-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Ara Muffasil P.S. Case No. 191 of 2024 registered on 05.07.2024 for the offences punishable under Sections 126(2), 115, 117, 118(1), 303(2), 74, 352, 3(5) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

3. As per the prosecution, the present F.I.R. has been lodged against five named accused persons, including the petitioner. It is alleged that all the accused persons abused and assaulted the wife of the informant. Specifically, it is alleged that the petitioner assaulted the informant's wife on her head and shoulder with an iron rod and a lathi, causing a head injury.

4. It is submitted by the learned counsel for the



petitioner that the petitioner is innocent and has committed no offence. He further submits that a bare perusal of the F.I.R. makes it crystal clear that the informant and the accused persons are agnates and family members. Moreover, for the same place and date of occurrence, two cases have been lodged. One case was lodged by the informant's side, bearing Ara Muffasil P.S. Case No. 191 of 2024, while the other case was lodged by the petitioner's side, bearing Ara Muffasil P.S. Case No. 192 of 2024. He further submits that injuries have been caused to both sides, and the injuries are simple in nature, as reflected in the injury report, annexed as Annexure P/2 series. The petitioner has a clean criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that from perusal of injury report, the injury appears to be simple in nature and the antecedent of the petitioner is clean.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the A.C.J.M., Ara, in



connection with Ara Muffasil P.S. Case No. 191of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

7. It is made clear that at the time of surrender before the Trial Court, the petitioner shall furnish an undertaking in the form of a bond, indicating therein that he will not create any situation in the future that may disturb the peace and tranquility of the informant.

(Dr. Anshuman, J)

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