

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10027 of 2026

Arising Out of PS. Case No.-547 Year-2023 Thana- KOTWALI District- Munger

Amit Kumar @ Amit Yadav S/O Bhaso Yadav Resident of Mohalla-
Laldarwaza, Sewa Sadan Road, P.S- Kotwali, Distt.- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
20.03.2025 in connection with Kotwali P.S. Case No. 547 of
2023 for the offences punishable under Sections 147,148,149,
323,341, 326,307, 504 and 506, 302 of IPC.

3. The prosecution story, in brief, is that on the basis of
fardbeyan of Aditya Kumar Rajan, an F.I.R. was lodged against
(1) Sudhir Kumar Yadav, (2)Subhash Yadav, (3)Kailu Yadav (4)
Aman, (5), Anshu and 20 to 25 unknown persons. In the
fardbeyan the informant stated that his name is Aditya Kumar
Rajan. On 22.11.2023 at about 20.00 hours he stated that
without any fear and pressure in emergency ward of Sadar
Hospital he is giving his statement before the police officer that
on 22.11.2023 at about 6.30P.M. in the evening his father
Yogendra Yadav was returning from market then he received
telephonic message that (1)Sudhir Kumar Yadav,(2)Subhash
Yadav (3)Kailu Yadav (4) Aman, (5), Anshu and 20 to 25



unknown persons had been assaulting his father, thereafter after hearing the message he rapidly arrived at the gate of Siwala Dharmshala, where he saw that the aforesaid persons jointly had been assaulting his father. When he went to rescue his father then Subodh Yadav they attacked from butt of the pistol, assaulted his father and the informant at the head one by one. Subhash Yadav armed with spade assaulted at the head of his father Yogendra Yadav with a view to kill him and repeatedly he assaulted his father so as long his father became injured and did not fell down on the earth. When the informant went to stand up his father then Kailu Yadav, Aman and Anshu jointly assaulted at him by means of lathi and danda. When the informant and his father became seriously injured and local people gathered there then all the aforesaid persons fled away abusing and giving threatening. His family members brought him and his father at Sadar Hospital, Munger for treatment. At hospital, treatment was started, but the condition of his father was serious, due to which his father was refereed. There is long standing land dispute and case is pending before the Hon'ble court.

4. Learned counsel for the petitioner submits that initially the petitioner was not named in the FIR and the name of the petitioner has transpired during the course of investigation



on the basis of various statement of the informant. It is next submitted that from bare perusal of the FIR it appears that the allegation of assault is on accused persons namely, Kailu Yadav, Aman and Anshu. It is further submitted that there is specific allegation of assault against co-accused Subash Yadav who has brutally assaulted at the head of the deceased and except the statement of the informant, no witness has supported the case of the prosecution and police after investigation has submitted charge-sheet and the petitioner is in custody since 20.03.2025.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the informant in her statement has stated that the petitioner was also involved in the present crime in question. Apart from that, the petitioner has antecedent of six cases other than the present case but fairly submits that petitioner is on bail in all these pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of District and Additional Sessions Judge-II, Munger in connection with Kotwali P.S. Case No. 547 of 2023, subject to the



following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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