

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11647 of 2026

Arising Out of PS. Case No.-176 Year-2025 Thana- SANHAULA District- Bhagalpur

1. Rambhajan Yadav @ Rambhajo Yadav @ Rambhajo Kumar S/O Pugal Yadav R/O Village- Milki, P.S- Sanhaula, Distt.- Bhagalpur (Bihar).
2. Pugal Yadav S/O Late Kesho Yadav R/O Village- Milki, P.S- Sanhaula, Distt.- Bhagalpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 27-04-2026 Heard Mr. Dhananjay Kumar Pandey, learned counsel appearing on behalf of the petitioners and Mr. Ashok Kumar Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Sanhaula P.S. Case No. 176/ 2025 registered for the offence(s) punishable under Sections 126(2),115(2),118(1),117(2),110,61(2),3(5), of the BNS.

3. As per the allegation made in the FIR, informant's husband had gone to graze buffalo, the accused persons allegedly assaulted him with iron rod and lathi with intention to kill, and upon alarm, the informant reached the spot and found him lying unconscious.



4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have been falsely implicated in the present case due to local politics and admitted land dispute between the parties, who are co-villagers. The informant is not an eye-witness to the occurrence and reached the place of occurrence only after hearing alarm. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegations made in the FIR and the materials available on record, I am of the opinion that so far as petitioner no. 1 is concerned, there is specific and direct allegation against him of assaulting the victim with iron rod on the head, i.e., on a vital part of the body, with intention to kill, and therefore, considering the nature of allegation, I am not inclined to enlarge petitioner no. 1 on pre-arrest bail, and he is directed to surrender before the court below forthwith.

7. However, so far as petitioner no. 2 is concerned, there is no specific overt act attributed to him and even the



victim has not specifically stated about any assault by him. Considering the overall facts and circumstances, I am of the opinion that petitioner no. 2 has, *prima facie*, made out a case to be released on pre-arrest bail.

8. The petitioner no. 2, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending / Concerned Court in connection with Sanhaura P.S. Case No. 176/ 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

9. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

10. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

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