

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9693 of 2026

Arising Out of PS. Case No.-259 Year-2025 Thana- NAUBATPUR District- Patna

Jitendra Kumar Son of Vishnu Dayal Yadav @ Vishnu Dyal Prasad Resident
of Village- Balathakur, P.S.- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 23109 of 2026

Arising Out of PS. Case No.-259 Year-2025 Thana- NAUBATPUR District- Patna

Santosh Kumar S/o Kapildev Yadav R/o Village - Bala Thakur, P.S -
Naubatpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 9693 of 2026)
For the Petitioner/s : Mr.Sudhanshu Shekhar, Advocate
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 23109 of 2026)
For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-05-2026 Heard learned counsels appearing on behalf of the
petitioners and learned APPs for the State.

2. The petitioners seek pre-arrest bail in connection
with Naubatpur P.S. Case No. 259/2025 registered for the
offence(s) punishable under Sections
126(2),115(2),118(1),109,303(2),75,352,351(2),3(5) of the



Bharatiya Nyaya Sanhita and Sections 3,4 of Bihar Dayan Act, 1999.

3. As per the allegation made in the FIR, the petitioners along with other accused abused the mother of informant by calling her a witch and snatched *jitiya* from her neck.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Both parties are close-door neighbours and due to petty dispute altercation took place between the parties. Other co-accused has been enlarged on pre-arrest bail by this Court. There is case and counter case between the parties. 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 allegation made in the FIR it appears that the parties, being close-door neighbours, entered into an altercation arising out of a petty dispute. The co-accused has already been granted pre-arrest bail by this Court,



and there is a case and counter-case between the parties. In these circumstances, I am of the opinion that the petitioners, having clean antecedent, have, *prima facie*, made out a case for grant of pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their 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 Naubatpur P.S. Case No. 259/2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. 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.

(Purnendu Singh, J)

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