

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9599 of 2026

Arising Out of PS. Case No.-338 Year-2025 Thana- ISLAMPUR District- Nalanda

Congress Yadav @Kangrares Kumar Son of Nagina Yadav R/o Village -
Dahaur Bigha, P.S. - Islampur, Dist. - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Chandra Kishore Kumar, Advocate
For the Opposite Party/s :	Mr. Raj Kishor Singh, A.P.P.
For the Informant :	Mr. Ajay Mukherjee, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-04-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
26.06.2025 in connection with Islampur P.S. Case No. 338 of
2025 for the offences punishable under Sections 103(1), 190,
191(2), 191(3), 126(2), 115(2), 109, 351(3) and 352 of the BNS.

3. The prosecution story, in brief, is that on 24.06.2025
at about 6:00 AM Nagina Yadav, Nirdosh Yadav and Congress
Yadav were digging earth by the side of wall of informant.
When the formant's father objected the act of accused persons,
they abused and assaulted the father of the informant. The 112
Police Party was called and an application was given to 112



Police Party. It is further alleged that on 25/6/2025 at about 6:30 AM, the father of the informant was passing through the house of Nagina Yadav. The accused Persons surrounded the father of the informant, abused him and thereafter all accused persons started assaulting him. It is further alleged that Nirdosh Yadav, Congress Yadav and Nagina Yadav assaulted Binod Yadav by iron rod due to which he received injury and got injured and became unconscious.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that from bare perusal of the FIR it appears that due to some petty dispute, the present occurrence has taken place and it is a case and counter-case and it has come during the investigation that the deceased has died after five days of the occurrence. It is further submitted that as per FIR, three persons have assaulted to the deceased but the doctor who has conducted the postmortem examination has found only two injuries on the person of the deceased, on that basis, the co-accused person Nagina Yadav has been granted



bail by the learned court below and the police after investigation has submitted charge-sheet and petitioner is in custody since 26.06.2025.

5. The learned Additional Public Prosecutor for the State and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submit that petitioner has antecedent of one case other than the present case but fairly submit that the petitioner is on bail in the pending case. Apart from aforesaid, the petitioner has participated in the crime in question and there is direct and specific allegation against the petitioner in the FIR.

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 Judicial Magistrate, First Class, Hilsa, Nalanda in connection with Islampur P.S. Case No. 338 of 2025, 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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