

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10709 of 2026

Arising Out of PS. Case No.-578 Year-2024 Thana- PANCHRUKHI District- Siwan

1. Abhishek Yadav S/o- Late Kanhaiya Yadav Resident of village- Tilauta Rasulpur PS- Pachrukhi District- Siwan.
2. Sanjay Yadav @ Sanjeev Yadav S/o- Late Kanhaiya Yadav Resident of village- Tilauta Rasulpur PS- Pachrukhi District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-02-2026 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioners apprehending their arrest in connection with Pachrukhi P.S. Case No. 578 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 3(5) of Bhartiya Nayay Sanhita 2023.

3. Petitioners alleged to assault informant and others, causing head and bodily injuries during the occurrence, which alleged to made with intention to cause their death. Occurrence alleged to be arising out of land dispute.

4. It is submitted by learned counsel appearing on



behalf of the petitioners that the occurrence was free fight in nature, where dispute took place in the background of land dispute, where both parties received injuries and, therefore, it can be safely said that petitioners were not under intention to cause death of informant and others to make out a case under Section 109 of the IPC. In support of his submission, learned counsel relied upon the legal report of ***Jage Ram & Others Vs. State of Haryana*** reported in ***(2015) 11 SCC 366***. It is submitted that for the same set of occurrence, the mother of petitioners lodged a case against informant's side, which was registered as Pachrukhi P.S. Case No. 579/2024. It is submitted that both petitioners are brothers and are of clean antecedents.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact occurrence *prima facie* appears free fight in nature, as discussed aforesaid in the background of previous enmities and land dispute, accordingly, above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-



IX, Siwan/concerned Court, where the case is pending in connection with Pachrukhi P.S. Case No. 578 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

