

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14632 of 2026

Arising Out of PS. Case No.-729 Year-2025 Thana- FATEHPUR District- Gaya

1. Dhirendra Kumar S/o- Late Suresh Yadav R/v- Sidariya Donaiya PS- Fatehpur Dist- Gayaji
2. Jitendra Kumar S/o- Late Suresh Yadav R/v- Sidariya Donaiya PS- Fatehpur Dist- Gayaji
3. Gayni Yadav @ Gyani Yadav S/o- Late Sohar Yadav R/v- Sidariya Donaiya PS- Fatehpur Dist- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Onkar Nath, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Fatehpur P.S. Case No. 729 of 2025 registered for the offences under Sections 126(2), 115(2), 117(2), 109, 76, 303(2), 352, 351(2) & 3(5) of B.N.S.

3. As per prosecution case, the petitioners and other co-accused persons had been making comment over the informant and his family members and when the informant forbade from doing so, they chased the informant to his house



and assaulted the wife of the informant with *lathi*. They also snatched nose-pin and *jitia* from the wife of the informant. When the informant intervened, he was also assaulted with iron rod, lathi and fists and slaps as well causing a number of injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is case and counter version for the occurrence of same day. Fatehpur P.S. Case No. 739 of 2025 has been lodged by one Bijli Devi, the wife of co-accused Lakhan Yadav as the petitioners' side were assaulted by the informant's side causing a number of injuries. Learned counsel further submits that the injury reports of the informant and his wife show simple and superficial injury which are abrasion, bodyache, swelling and tenderness on the wife of the informant whereas the informant received lacerated wound over parietal region of head of size 3"x 0.75 and 3"x 0.75 apart from abrasion over parietal region of head and swelling over right hand. Subsequently, fracture was found on the right hand of the informant. Learned counsel further submits that the scuffle took place over drainage of sewerage water and both sides sustained injury in course of scuffle. There is general and omnibus allegation of assault



against all the accused persons. The petitioners and informant are agnates. Learned counsel further submits that petitioner no. 1 is having antecedent of two cases whereas petitioner no. 3 is having antecedent of one case and they are on bail in these cases and petitioner no. 2 is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter version of the parties and also considering the non-serious nature of injury received by the informant and his wife and further considering the nature of dispute between the parties, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya/concerned court in connection with Fatehpur P.S. Case No. 729 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. and other following conditions :

(i) One of the bailors will be a close



relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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