

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19182 of 2026

Arising Out of PS. Case No.-246 Year-2025 Thana- PAKARIBARAW District- Nawada

1. Ajay Yadav S/o Sukhdev Yadav R/o vill - Hasanganj, P.S- Pakaraibarawan, Distt.- Nawada
2. Sanjay Yadav S/o Sukhdev Yadav R/o vill - Hasanganj, P.S- Pakaraibarawan, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate Mr. Mayank Raj, Advocate
For the Opposite Party/s	:	Mr. Kumar Veerendra Narayan, APP
For the Informant	:	Mr. Sikandar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mr. Arun Kumar, learned counsel for the petitioners, Mr. Sikandar, learned counsel for the informant and Mr. Kumar Veerendra Narayan, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 08.01.2026 in connection with Pakaribrawn P.S. Case No. 246 of 2025, F.I.R. dated 23.06.2025 for the offences punishable under Sections 103 and 3(5) of the BNS, 2023.

3. According to prosecution case, all the accused persons including these petitioners armed with deadly weapons have brutally assaulted the informant's father resulting into his death.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the FIR but there is no specific allegation of assault against these petitioners rather the specific allegation of assault is against the co-accused persons Kundan Kumar and Nandan Kumar and due to previous admitted land dispute the present occurrence has taken place. He further submits that one Partition Suit No. 113 of 2024 is going on between the parties. He further submits that the police after investigation submitted the charge sheet against the petitioners. He further submits that similarly situated, co-accused, namely, Nandan Kumar @ Sukesh Kumar against whom there is specific allegation of assault has been granted bail by this Court vide order dated 19.01.2026 passed in Cr. Misc. No. 84805 of 2025 and another co-accused, namely, Saryug Yadav has also been granted bail by a Co-ordinate Bench of this Court vide order dated 23.02.2026 passed in Cr. Misc. No. 85179 of 2025. The petitioners are in custody since 08.01.2026.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners



have participated in the present crime in question but fairly submits that the specific allegation of assault is against the co-accused persons Kundan Kumar and Nandan Kumar.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, there is no specific allegation against these petitioners and co-accused against whom there is specific allegation of assault has been granted bail by this Court, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-3, Nawada in connection with Pakaribrawn P.S. Case No. 246 of 2025, subject to the following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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