

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24846 of 2026

Arising Out of PS. Case No.-1083 Year-2024 Thana- GAYA MUFASIL District- Gaya

1. Dilip Yadav Son of Ramashish Yadav Resident of Village- Chhotaki Nima, P.S.- Muffasil, Distt.- Gaya Ji
2. Surendra Yadav Son of Ramashish Yadav Resident of Village- Chhotaki Nima, P.S.- Muffasil, Distt.- Gaya Ji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 30-04-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 125, 324(4), 303(2) and 3(5) of the B.N.S.

3. The allegation in the First Information Report is that the petitioners along with other co-accused persons have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that the incident has arisen out of a dispute between the *gotiyas*, while there is no allegation against the petitioner no.2 that he assaulted the informant and his wife but the injury is simple in nature as



would appear from the Annexure-P/2 series and also from the bail rejection order. So far as the petitioner no.1 is concerned, there is allegation of assault on the brother of the informant and it is stated that he suffered a swelling in his hand, however, injury suffered by him has not been disclosed in the bail rejection order. Further, there is case and counter case with regard to same incident and lodged on the same date by the petitioner no.2.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the dispute between the two *gotiyas* and the injuries being simple in nature, coupled with the fact that there is case and counter case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on 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 Court below where the case is pending/successor Court in connection with Muffasil P.S. Case No. 1083 of 2024, subject to the condition as



laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to further condition(s) that:

- (i) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister.
- (ii) The petitioners shall co-operate with the investigation, if not already concluded and make themselves available as and when so required, failing which the prosecution will be at liberty to move cancellation of their bail bond.

(Soni Shrivastava, J)

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