

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30542 of 2026

Arising Out of PS. Case No.-265 Year-2021 Thana- VIJAYEPUR District- Gopalganj

Bhim Yadav S/o- Dinanath Yadav Resident of Village- Koreya PS- Vijaipur
District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey
For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 23.12.2025 in connection with Vijaipur P.S. Case No. 265 of 2021 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 326, 307, 302 of the I.P.C.

3. The prosecution case in brief is that accused party including this petitioner were ploughing the field of the informant. When the informant stopped them for doing so then the accused party has given knife injury to the informant's nephew Adarsh Pandey due to which he succumbed to his injuries. There are also allegation against the accused persons that they also gave knife injury to the informant party due to which they also got injured. Hence, the present F.I.R.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is next submitted that from perusal of the F.I.R. it appears that there is an admitted land dispute between both the parties due to which the present occurrence has taken place. It is next submitted that it appears from the F.I.R that there is no specific allegation of assault or overt act against the petitioner rather there is allegation against the petitioner that he along with other co-accused persons have caught hold of the nephew of the informant. It is next submitted that specific allegation of assault is attributed against co-accused persons, namely, Angad Viswakarma and Rakesh Yadav. It is further submitted that co-accused persons, namely Angad Viswakarma and Rakesh Yadav against whom there is an allegation of assaulting to the deceased, have been granted bail vide order dated 01.02.2023 passed in Criminal Miscellaneous No. 17852 of 2022 and vide order dated 19.09.2022 passed in Criminal Miscellaneous No. 35148 of 2022 by Co-ordinate Benches of this Court respectively. Learned counsel for the petitioner next submits that police after investigation has submitted charge-sheet and petitioner is in custody since 23.12.2025 .

5. The learned Additional Public Prosecutor for State



has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of two cases other than the present case but fairly submits that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances and the fact that there is no specific allegation of assault or overt act attributed against the petitioner and co-accused persons against whom there is an allegation of assaulting the deceased have been granted bail by different Co-ordinate Benches of this Court, 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 A.C.J.M.-VI, Gopalganj in connection with Vijaipur P.S. Case No. 265 of 2021, 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 cancelled 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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