

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32493 of 2026

Arising Out of PS. Case No.-213 Year-2025 Thana- COMPLAINT CASE - ROSERA
District- Samastipur

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1. Suresh Yadav S/o Yogi Yadav R/o Village - Shahpur, Ward no. 4, P.S. - Rosera, Dist. - Samastipur.
 2. Balram Kumar S/o Suresh yadav R/o Village - Shahpur, Ward no. 4, P.S. - Rosera, Dist. - Samastipur.
 3. Soni Kumari W/o Balram Kumar R/o Village - Shahpur, Ward no. 4, P.S. - Rosera, Dist. - Samastipur.
 4. Rita Devi @ Sita Devi W/o Suresh Yadav R/o Village - Shahpur, Ward no. 4, P.S. - Rosera, Dist. - Samastipur.
 5. Krishna Kumar Yadav S/o Suresh Yadav R/o Village - Shahpur, Ward no. 4, P.S. - Rosera, Dist. - Samastipur.

... .. Petitioner/s

Versus

1.The State of Bihar

2. Amit Kumar son of SomanYadav residnet of village Shahpur Ward no.4
PS Rosera Dist. Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shishir Kumar Shishir, Advocate

Mr. Binod Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Complaint Case No. 213 of 2025 instituted under Sections
115(2) and 308(2) of the Bharatiya Nyaya Sanhita, 2023.

3.The prosecution case, in short, is that due to prior
enmity between the parties and pendency of a proceeding under



Section 126 of the *Bharatiya Nagarik Suraksha Sanhita* before the learned S.D.M., Rosera, the accused persons including the petitioners allegedly intercepted the complainant on 11.02.2025 while he was returning from the bank and snatched a sum of Rs. 80,000/- from him at gunpoint. It is further alleged that although the matter was brought to the notice of the police authorities, no action was taken. The complainant has further alleged that on 11.03.2025 all the accused persons again came to his house, assaulted him as well as the witnesses and committed theft of Rs. 25,000/- kept in a box inside the house.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is submitted that the allegations made in the complaint petition are concocted. Learned counsel further submits that although there is a specific allegation that on 11.02.2025 the petitioners along with other accused persons allegedly intercepted the complainant while he was returning from the bank after withdrawing Rs. 80,000/- and snatched the said amount at gunpoint, but admittedly no F.I.R. or complaint case was instituted immediately after the alleged occurrence. The present complaint case has been filed only on 19.03.2025 after inordinate and unexplained delay, which itself creates



serious doubt regarding the veracity of the prosecution story. It is also submitted that only to justify the delay in filing the complaint, the complainant has subsequently set up a concocted story regarding an alleged occurrence dated 11.03.2025 relating to assault and theft of Rs. 25,000/- from his house. Learned counsel also submits that both parties are co-villagers and neighbours and due to the admitted land dispute and pending proceeding under Section 126 of the *B.N.S.S.*, the petitioners have been maliciously implicated with ulterior motive. It is further submitted that petitioner no. 2 is a Railway employee and petitioner no. 3 is a School Teacher. It is also submitted that the petitioners have got no criminal antecedent.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Rosera, Samastipur, in Complaint Case No. 213 of 2025, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita 2023*.



7. The application stands allowed.

(Khatim Reza, J)

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