

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30440 of 2026

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

Chandan Kumar S/o Saryug Yadav R/o Village- Hasanganj, P.S.- Pakaribaraw,
District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 29447 of 2026

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

Kundan Kumar S/o Saryug Yadav R/o Vill. - Hasanganj, P.s. -
Pakaraibarawan, Dist. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 31148 of 2026

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

Kanti Devi @ Kranti Devi W/O Saryug Yadav R/O Village- Hasanganj, P.S-
Pakaribaraw, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 30440 of 2026)
For the Petitioner/s : Mr. Man Mohan Kumar
For the Opposite Party/s : Mr. Mohammad Sufyan
For the Informant : Mr. Sikandar
(In CRIMINAL MISCELLANEOUS No. 29447 of 2026)
For the Petitioner/s : Mr. Mayank Raj
For the Opposite Party/s : Mr. Upendra Kumar
For the Informant : Mr. Sikandar
(In CRIMINAL MISCELLANEOUS No. 31148 of 2026)
For the Petitioner/s : Mr. Priyanka Singh
For the Opposite Party/s : Mr. Bharat Lal



For the Informant : Mr. Sikandar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-07-2026 Heard learned counsels for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. Petitioners seek bail in connection with Pakaribaraw P.S. Case No. 246 of 2025 for the offences punishable under Sections 103/3(5) of the B.N.S., 2023.

3. The prosecution case is on the basis of Fardbyan of Surendra Kumar aged about 30 years Son of Satyendra Yadav, resident of Village- Hasanganj, P.S.- Pakaribaraw District- Nawada, recorded by A.S.I. Amit Kumar of Pakaribaraw police station on 23-06-2025 at Pakaribaraw C.H.C. at about 02:10 A.M., alleging inter-alia that in the night on 22-06-2025 at about 10.00 P.M. while the father of informant was in the house, in the meantime his co-villager Ajay Yadav and Sanjay Yadav came and they took father of informant with them saying that they would show the poultry farms. After some times, when informant heard the commotion then came out and saw that lying in wait near the village school 1. Kundan Kumar, 2. Nandan Kumar, 3. Chandan Kumar All three sons of Saryug Yadav, 4. Saryug Yadav Son of Late Bundi Yadav, 5. Kanti Devi



W/o Saryug Yadav and took away after calling from home 6. Ajay Yadav, 7. Sanjay Yadav Both Sons of Sukhdeo Yadav, All resident of Village- Hasanganj, P.S.- Pakaribaraw District- Nawada, they are assaulting the father of informant being armed with weapons. It is further alleged that as soon as the informant reached near the school then Kundan Kumar armed with Garasa and Nandan Kumar armed with Kudal holding in their hands with intention to killing attacked upon the father of informant on his head and neck due to which he got seriously injured and fell to the ground with unconscious, in the meanwhile Chandan was threatening to kill with a pistol in his hand and Ajay Yadav, Sanjay Yadav, Saryug Yadav and Kanti Devi armed with Khanti and rod in their respective hand assaulting to the father of informant in unconscious condition.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It is next submitted that due to admitted land dispute between both the parties the present occurrence has taken place. It is further submitted that from perusal of the F.I.R. it appears that although petitioners are named in the F.I.R. but there is no specific allegation against the petitioner, namely, Chandan Kumar and allegation against



Kundan Kumar is that he has assaulted with one Nandan Kumar and as far as allegation against Kanti Devi is concerned, there is no specific allegation against her rather the allegations are general and omnibus in nature. Learned counsel for the petitioners submits that one Title Suit No. 113 of 2024 is going on between the parties. It is next submitted that from perusal of the FIR it appears that FIR has been instituted on 23.06.2025 at 3:30 a.m., but the inquest report was prepared on 22.06.2025 at 11:45 p.m., which suggests that before the institution of the FIR the inquest report has been prepared only to falsely implicate the petitioners. Apart from aforesaid, the co-accused person Nandan Kumar @ Sukesh Kumar against whom there is an allegation that he has assaulted with Kundan Kumar has been granted bail vide order dated 19.01.2026 passed in Criminal Miscellaneous No. 84805 of 2025 by a Coordinate Bench of this Court. Learned counsel for the petitioners next submits that police after investigation has submitted charge-sheet and petitioners, namely, Chandan Kumar, Kundan Kumar and Kanti Devi are in custody since 03.01.2026, 17.11.2025 and 03.01.2026 respectively.

5. The learned Additional Public Prosecutor for State and learned counsel for the informant have vehemently opposed



the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, 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 Additional Chief Judicial Magistrate-II, Nawada/Concerned Court in connection with Pakaribaraw 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)

Gaurav Sinha/-

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