

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32656 of 2026

Arising Out of PS. Case No.-159 Year-2025 Thana- GAMAHARIYA District- Madhepura

1. Chandra Prakash Yadav @ Chandra Prakash Kumar, aged about 28 years, Male, son of Brahmdev Yadav,
2. Brahmdev Yadav, aged about 60 years, Male, S/O Late Lakhan Yadav, Both resident of village- Fulkaha, Ward No. 06, P.S- Gamhariya, Dist- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Vishoka Nand, Advocate
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey, 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 Gamhariya PS Case No.159 of 2025 dated 20.07.2025, instituted under Sections 126(2), 115(2), 118(2), 110, 352, 303(2) and 3(5) of the *Bharatiya Nyaya Sanhita*, 2023.

3. The allegation against the petitioners and others is of uprooting the paddy crops and assaulting the husband of the informant. Specific allegation against the petitioner no.1 is that he assaulted the husband of the informant on his head by means of rod and against petitioner no.2 is that he caught hold the hair of the informant and dragged her in the field due to which she



became naked as also he took out Rs.1500/- from the pocket of the husband of the informant.

4. Learned counsel for the petitioners submits that there is case and counter case between the parties. The counter case i.e., Gamhariya PS Case No.158 of 2025 has been lodged under Sections 126(2), 115(2), 303(2), 352, 3(5) of the *Bharatiya Nayaya Sanhita*, 2023, by the wife of the petitioner no.1 and daughter-in-law of the petitioner no.2. The present FIR has been lodged after two days of the occurrence. There is dispute between the parties with regard to boundaries of the land which was sold by the wife of the petitioner no.1 to the daughter-in-law of the informant. Lastly, it is submitted that one criminal case is pending against the petitioners.

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 Chief Judicial Magistrate, Madhepura, in Gamhariya PS Case No.159 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)

J. Alam/-

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