

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30805 of 2026

Arising Out of PS. Case No.-108 Year-2024 Thana- Bahera District- Gaya

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1. Bijay Yadav @ Rambijay Yadav @ Ram Vijay Yadav S/O Late Raghunath Yadav R/O Village- Kosma Tola- Khariyat, P.S.- Bahera, Distt.- Gayaji.
 2. Mahendra Yadav @ Mahendra Prasad Yadav S/O Late Raghunath Yadav R/O Village- Kosma Tola- Khariyat, P.S.- Bahera, Distt.- Gayaji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh,Adv.

For the Opposite Party/s : Ms.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Bahera P.S. Case No. 108 of 2024 for the offence punishable under sections 126(2), 115(2), 118(1), 110, 303(2), 352, 351(2) &(3), 3(5) of the BNS lodged on 12.10.2024 by the informant.

3. As per the prosecution case, the allegation against the petitioners is that while informant's husband was fencing his land, the petitioners are said to have assaulted him with iron rods & *lathi* due to which he received injuries. Accordingly, the FIR.



4. Learned counsel for the petitioners submits that both the parties are co-villagers and there is a land dispute between them. It has further been submitted that no injury as alleged in the FIR has been caused by the petitioners to the husband of the informant or her family members. Petitioners have got clean antecedent and the said incident has taken place due to old land dispute.

5. Learned APP opposes the prayer for anticipatory bail of the petitioners.

6. Considering the nature of allegation, both the parties are co-villagers, there is a land disputed between them and no injury, as such, has been caused to the husband of the informant or her family members and the petitioners have got clean antecedent, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail in the event of arrest or surrender within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ***Additional Chief Judicial Magistrate, 1st, Sherghati, Gayaji*** in connection with aforesaid PS Case, subject to the conditions as laid down under



Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

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