

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35739 of 2026

Arising Out of PS. Case No.-51 Year-2026 Thana- KHAIRA District- Jamui

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1. Pramod Yadav S/o Late Nuneshwar Yadav Residents of Village- Nimnawada, P.S.- Khaira, District- Jamui.
 2. Doman Yadav S/o Late Nuneshwar Yadav Residents of Village- Nimnawada, P.S.- Khaira, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Poonam Singh, Advocate
For the State	:	Mr. Rajesh Kumar, APP
For the Informant	:	Mr. Pramod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 25-05-2026 Heard the learned counsel for the petitioners and the learned A.P.P. appearing for the State.

2. The petitioners apprehend their arrest in connection with Khaira P.S. Case No.51 of 2026, for allegedly having committed offences under Sections 126(2), 115(2), 117(2), 118(1), 109(1), 303(2), 351(2), 352 read with 3(5) of B.N.S., 2023.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that on 10.02.2026, at around 04:00 p.m., when the informant was giving water in his field, some altercation took place in between the informant and the accused persons,



including the petitioners herein. At around 07:00-08:00 p.m., when the informant along with his sons, Sanjay Yadav and Kedar Kumar Yadav, wife, Sushila Devi and daughter-in-law, Sunita Devi were returning home from the field, Guddu Yadav and the petitioners herein armed with weapons surrounded them. Co-accused, Guddu Yadav assaulted the son of the informant, namely, Sanjay Yadav on his head, due to which he fell down and, in the meantime, the petitioner no.2 is said to have assaulted him with an iron rod. When the informant tried to save his son, then the petitioner no.2 is said to have assaulted him with an iron rod and when he tried to save himself, his hand got fractured. When the wife of the informant tried to rescue him, the petitioner no.1 is said to have assaulted her with an iron rod.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. The true fact is that on the date of occurrence, the informant along with his sons entered the house of the accused persons and assaulted them. For the same occurrence, a complaint case was filed before the learned Chief Judicial Magistrate, Jamui, which was numbered as Complaint Case No.203C of 2026. The learned counsel for the petitioners further



submits that both the parties are Gotiyas and there is a dispute in between them, prior to lodging of the present First Information Report. It is further submitted that from perusal of the injury report, which has been annexed as Annexure-3 to the present anticipatory bail petition, the injuries sustained by the informant on his left forearm has been found to be grievous in nature. Similarly, the injuries sustained by the son of the informant, namely, Sanjay Yadav on his skull/head and right palm have been found to be grievous in nature. Further, the injuries sustained by the wife of the informant have been found to be simple in nature. It is submitted that the petitioner no.1 is an accused in Khaira P.S. Case No.381 of 2018, in which he is on bail. The petitioner no.2 is an accused in two cases in which in one of the cases, he is on bail and in other case, a compromise has been entered into in between the parties.

5. *Per Contra*, the learned counsel appearing on behalf of the informant submits that the informant side suffered multiple injuries and five persons were found to be injured. The petitioners have assaulted the informant and his son, due to which they suffered grievous injuries and further submits that the petitioners are accused in other cases also.

6. The learned APP appearing on behalf of the State



opposes the prayer for anticipatory bail of the petitioners and submits that the petitioners have got criminal antecedents and they do not deserve the privilege of anticipatory bail.

6. Having considered the rival submissions and after going through the records, it appears that both the parties are Gotiyas and there is a dispute in between the parties for which the present case has been lodged and the accused side also filed a complain case. Further, the injuries sustained by the informant and his son have been found to be grievous in nature, however the injury, which has been attributed to the petitioner no.2 and has been opined to be grievous in nature, is on left forearm, which is not a vital part of the body. Similarly, the injury, which has been found to be grievous in nature, on the body of the son of the informant, i.e., injury suffered on his head, has not been attributed to the petitioners herein, rather the same has been attributed to co-accused, Guddu Yadav. So far the another injury, which has been found to be grievous, is on right palm, which is not a vital part of the body. Further, co-accused, Kabita Devi, Sunita Devi and Tinku Devi have been granted the privilege of anticipatory bail by a learned Co-ordinate Bench of this Court vide order dated 07.05.2026, passed in Criminal Miscellaneous No.31595 of 2026.



7. Taking into consideration the facts aforesaid, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No.51 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned 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 concerned shall take steps for cancellation of bail bonds 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.

(Ritesh Kumar, J.)

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