

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36551 of 2026

Arising Out of PS. Case No.-413 Year-2025 Thana- ROH District- Nawada

Moti Yadav S/O Late Kuldip Yadav Resident of Village- Bhatta, P.S.- Roh,
District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 37373 of 2026

Arising Out of PS. Case No.-413 Year-2025 Thana- ROH District- Nawada

Sree Yadav @ Srichand Yadav S/O Lachho Yadav Resident of Village- Bhтта,
P.S.- Roh, District -Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 37430 of 2026

Arising Out of PS. Case No.-413 Year-2025 Thana- ROH District- Nawada

Moti Yadav @ Arun Rai Son of Jagdish Yadav Resident of Village- Bhatta,
P.S.- Roh, District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 36551 of 2026)
For the Petitioner/s : Mr.Man Mohan Kumar, Adv.
For the Opposite Party/s : Mr.Nityanand, APP
(In CRIMINAL MISCELLANEOUS No. 37373 of 2026)
For the Petitioner/s : Mr.Krishna Deo Raj, Adv
For the Informant : Mr. Nafisuzzoha, Adv.
Ms. Shabina Talat, Adv.
For the Opposite Party/s : Mr.Anil Prasad Singh
(In CRIMINAL MISCELLANEOUS No. 37430 of 2026)
For the Petitioner/s : Mr. Man Mohan Kumar, Adv.
For the Opposite Party/s : Mr. Nityanand, APP



CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 24-07-2026 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

2. The petitioners have prayed for regular bail in connection with a case registered for the offences punishable under Sections 190, 191(2) & (3), 126(2), 115(2), 118(1) & (2), 117(2) & (4), 109, 74, 303(2), 352 and 351(2) of the BNS, 2023 and later on, Section 103 and 103(2) of BNS was added.

3. The case of the prosecution, in brief, is that while the husband of the informant was returning, he was allegedly assaulted and brutally beaten by the named accused persons along with 10–15 others, as a result of which he later succumbed to the injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. He also submits that the petitioners namely, Moti Yadav and Moti Yadav @ Arun Rai are not named in the FIR whereas petitioner namely, Sree Yadav has been named. It is also submitted that the deceased, namely Athar Hussain, had given his statement before the police wherein he stated that he was assaulted by a mob but did not name any individual. It is argued that the best person to disclose the identity of the



assailants was the injured/deceased himself, who did not name the petitioners or any other accused. The allegation against the petitioners are general and omnibus in nature. During investigation the name of petitioners Moti Yadav and Moti Yadav @ Arun Rai have come on the basis of statement of spy. Learned counsel has further submitted that similarly situated other co-accused persons have already been granted bail by this court vide Cr. Misc. No. 32277 of 2026 and 32146 of 2026. He lastly submits that petitioners namely, Moti Yadav, Sree Yadav @ Srichand Yadav and Moti Yadav @ Arun Rai are languishing in judicial custody since 12.02.2026, 06.12.2025 and 29.12.2025 respectively and they are having no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail. Learned counsel for the informant has submitted that the present case relates to mob lynching and the nature of allegations is serious.

6. Considering the aforesaid facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail.

7. Accordingly, the petitioners, above-named, are directed to be released on bail in connection with Roh P.S. Case



No. 413 of 2025, 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 Judicial Magistrate, 1st Class, Nawada with the following conditions:-

- (i) petitioners shall cooperate in trial;
 - (ii) shall remain physically present on each and every date fixed by the learned court below and
 - (iii) one of the bailors shall be their near relative.
8. Learned trial court is directed to expedite the trial.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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