

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36699 of 2026

Arising Out of PS. Case No.-87 Year-2026 Thana- KHAIRA District- Jamui

1. Ramdeo Yadav S/o Late Dhaneshwar Yadav R/o Village - Devpur P.S - Khaira, District - Jamui
2. Prahlad Yadav S/o Late Dhaneshwar Yadav R/o Village - Devpur P.S - Khaira, District - Jamui
3. Siri @ Sirinath Yadav S/o Late Dhaneshwar Yadav R/o Village - Devpur P.S - Khaira, District - Jamui
4. Manisha Devi @ Manisha Kumari D/o Karu Yadav W/o Guddu Yadav @ Guddu Kumar, R/o Village - Maghi (Sikathiya), P.S - Laxmipur, District - Jamui

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-06-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Khaira P.S. Case No. 87 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109(1), 329(4), 351(2) and 352 read with 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 3/4 of Dian Prevention of Witch Practices Act.

3. The allegation against petitioners is to assault the informant and her son alongwith other co-accused persons



causing head and bodily injury, which alleged to be made with an intention to cause their death.

4. Learned counsel appearing on behalf of the petitioners submitted that present occurrence took place due to neighbourhood dispute and differences. In this context, it is submitted that the occurrence was free fight in nature, where petitioners' side also received injury during the occurrence for which a counter case was also lodged as Khaira P.S. Case No. 86/2026.

5. It is submitted that in fact the case of petitioners' side was lodged at first instance and to counter the same, the present false case was lodged. Arguing further, it is submitted that allegation of assault is not available against petitioner nos. 1, 3 & 4, whereas petitioner no. 2 namely, Prahlad Yadav alleged to assault on the head of the informant namely, Babita Devi, where injury upon medical examination found simple in nature. All petitioners claimed clean antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. In view of the aforesaid factual submissions and by taking note of the fact as *prima facie* alleged occurrence was of free fight in nature where both sides have received injuries,



coupled with the fact that injury as alleged to be caused by petitioner no. 2, upon medical examination, found simple in nature, accordingly, all above-named four petitioners, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui/concerned court in connection with Khaira P.S. Case No. 87 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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