

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38686 of 2026

Arising Out of PS. Case No.-325 Year-2025 Thana- SURYAGARHA District- Lakhisarai

1. Rupesh Kumar S/O Prasad Yadav @ Randhir Yadav R/O Village - Nista, P.S- Surajgarha, Dist.- Lakhisarai
2. Mithlesh Yadav @ Mithlesh Kumar Son of Prasad Yadav @ Randhir Yadav. R/O Village- Nista, Police Station-Surajgarha, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Parmanand Pd. Nr. Sahi, Advocate
For the State	:	Mr. Arun Kumar Pandey, APP
For the Informant	:	Mr. Vipin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026

Heard Mr. Parmanand Pd. Nr. Sahi, learned counsel

for the petitioners, Mr. Vipin Kumar, learned counsel appearing on behalf of the informant as well as Mr. Arun Kumar Pandey, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who is in custody since 07.04.2026 in connection with Surajgarha P.S. Case No. 325 of 2025, F.I.R. dated 29.11.2025 for the offences punishable under Sections 191(1), 126(2), 115(2), 109(1) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that on 28.11.2025 at 07.00 PM, all the accused persons including the petitioners assaulted his cousin by means of spade due to which he got injured. When the informant went to rescue his



cousin, he was also assaulted with iron rod. The injured was taken to Sadar Hospital, Lakhisarai for treatment.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. He next submits that it appears from the FIR that due to some petty dispute the present occurrence has taken place and both the parties are agnates to each other and there is case and counter case between the parties. He further submits that although some persons have received injury but there was no intention to kill anyone and the petitioners are in custody since 07.04.2026.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner on the ground that petitioners have participated in the present crime in question and due to action of the petitioners, the informant side have received injury and as per information, the injury found on the injured persons is grievous in nature and apart from that petitioner no.2 has got two criminal antecedents other than the present one and petitioner no.1 has clean antecedent.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Lakhisarai in connection with Surajgarha P.S. Case No. 325 of 2025, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond 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.

(Rajesh Kumar Verma, J)

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