

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40855 of 2026

Arising Out of PS. Case No.-268 Year-2025 Thana- Bhararhi District- Madhepura

1. Umesh Yadav S/o Late Siyaram Yadav Resident of Village- Dhurgaon, Ward No. 2, P.S.- Bharrahi, District- Madhepura
2. Dinesh Yadav S/o Late Siyaram Yadav Resident of Village- Dhurgaon, Ward No. 2, P.S.- Bharrahi, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prafull Chandra Thakur
For the Opposite Party/s	:	Mr. Kalyan Shankar
For the Informant	:	Mr. Amarnath Jha

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. Petitioners seek bail who is in custody since 13.01.2025 in connection with Bharrahi P.S. Case No. 268 of 2025 for the offences punishable under Sections 115(2), 126(2), 118(1), 109(1), 303(2), 352, 351(2) & (3), 3(5) of B.N.S.

3. The case of the prosecution in short is that one Kalpana Devi has submitted her written report before the police alleging therein that on 02.12.2025 at about 08 AM, when she was got information that all the FIR named accused persons including these petitioners entered in to the field of informant



and tried to capture the area of the land in to his field. It is further alleged that informant and her husband opposed them to do this but at 9 am all the accused persons armed with weapon came to the door of the informant and started abusing then on the order of Abinandan Rohit Kumar hit on head of informant's husband causing head injury All accused persons also beaten the informant's husband with lathi-danda in injured condition ruthlessly Informant and her saas came to save him but Ranjit, Dinesh and Pushpak kumar stated assaulting and abusing and Veena Devi snatched the gold chain from the neck of informant and Jamuna Devi snatched the gold-baali from saas of the informant.

4. Learned counsel for the petitioner submits that petitioners have falsely been implicated in the present case. It is next submitted that from bare perusal of the FIR it appears that due to some land dispute the present occurrence has taken place and both the parties are next door neighbours to each other. Learned counsel for the petitioners next submits that although the petitioners are named in the FIR but there is no specific allegation of assault or overt act against them and the specific allegation is against one co-accused, namely, Rohit Kumar who has assaulted to the husband of the informant by means of iron



rod and he has received the injury and police after investigation has submitted charge-sheet and petitioner is in custody since 13.01.2025.

5. The learned Additional Public Prosecutor for State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners and submit that petitioners are involved in the present crime in question. Apart from that petitioner no. 1 has antecedent of five cases other than the present case and petitioner no. 2 has antecedent of three cases other than the present case but fairly submit that petitioner is on bail in the pending matter.

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 Distt. & Addl. Sessions Judge VI-cum-Spl. Judge, POSCO, Madhepura in connection with Bharrahi P.S. Case No. 268 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 tampers 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 antecedent, 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)

Gaurav Sinha/-

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