

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39471 of 2026

Arising Out of PS. Case No.-377 Year-2025 Thana- JANKINAGAR District- Purnia

1. Bhikhari Yadav S/o Late Kari Yadav Resident of Village - Naulakhi Milik, Ward No.-10, P.S.- Jankinagar, District - Purnea
2. Chhabu Yadav S/o Late Kari Yadav Resident of Village - Naulakhi Milik, Ward No.-10, P.S.- Jankinagar, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pooja Prasad, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Jankinagar P.S Case No. 377 of 2025, for allegedly having committed offences under sections 126(2), 115(2), 352, 109, 117(2) and 3(5) of B.N.S.

3. As per the prosecution story, which has been lodged on the basis of written report submitted by the informant to the effect that while he was going to his field for spraying medicine, he found co-accused Rajiv Yadav in his field. When he raised an objection, Rajiv Yadav assaulted the informant with sword, causing injuries on his head, due to which he fell down and



became unconscious. It has further been alleged that the petitioners herein along with other co-accused have also assaulted the father of the informant and his wife. The specific allegation of assault with *farsa* on the head of the father of the informant is there against the petitioner no. 1, while the allegation against the petitioner no. 2 is of assaulting with an iron rod on the head of the mother of the informant.

4. The learned counsel for the petitioners submit that the petitioners have been falsely implicated in the present case on account of land dispute in between the parties. He further submits that the petitioners are agnates and there is a previous land dispute in between them. He further submits that petitioner no. 1 lodged a First Information Report for the same occurrence bearing Jankinagar P.S. Case No. 378 of 2025, against the informant and his family members. He submits that the petitioner no. 1 is 75 years of age and the petitioner no. 2 is 71 years of age. He further submits that there was a free fight in-between the parties and both the sides suffered injuries. He further submits that the petitioners have got two other criminal antecedents, apart from the present case, however in both the cases, they are on bail.

5. Per contra, the learned APP for the State



vehemently opposes the prayer for bail of the petitioners and submits that the petitioners have got two criminal antecedents pending against them and it is every possibility that they will again indulge in same activity, if they will be granted the privilege of anticipatory bail.

6. Having heard the rival submissions and after going through the records, it appears that there was a free fight in-between the parties and case and counter case has been lodged by both the sides. The petitioner no. 1 has also lodged Jankinagar P.S. Case No. 378 of 2025, against the informant and his family members. From the perusal of the impugned order dated 23.04.2026 passed by the learned Additional Sessions Judge XI Purnea in A.B.P. No. 403 of 2026, it would transpire that the injuries sustained by the injured have been found to be simple in nature by the treating doctor. Further, considering the fact that the petitioners are old persons aged about 71 and 75 years of age, let the petitioners above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Purnea in connection with Jankinagar P.S.



Case No. 377 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S, with further condition:

(1) 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 antecedents, the court concerned shall take steps 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.

(Ritesh Kumar, J)

Mridula/Pallavi

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