

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44869 of 2026

Arising Out of PS. Case No.-77 Year-2026 Thana- GORADIH District- Bhagalpur

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1. Dipan Yadav @ Bipin Yadav S/O Luchcho Yadav R/O Vill.- Badi Distani, P.s.- Goradih, Dist.- Bhagalpur
 2. Balkun Yadav @ Balmukund Yadav S/O Luchcho Yadav R/O Vill.- Badi Distani, P.s.- Goradih, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Najmul Hodda, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

2 08-07-2026 Heard the learned counsel for the petitioners and
the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Goradih P.S. Case No. 77 of 2026, for allegedly having committed offence under Sections 126(2), 115(2), 109 and 3(5) of the BNS.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that on the date of occurrence, all the accused persons came to his residence and assaulted the informant, his father and his wife with sticks and bricks due to which, all of them sustained injuries and were being treated at a hospital.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any



offence. He further submits that the present first information report has been lodged due to previous land dispute in between the parties. The petitioners and the informant's side are co-villagers and land disputes in between the parties are going on. He further submits that petitioner no.1 also lodged Goradih P.S. Case No. 76 of 2026, under Section 87 of the BNS against the informant and his family members and the present case is a counter-blast of the Goradih P.S. Case No. 76 of 2026. He submits that the treating doctor has found the injuries to be simple in nature of all the injured persons, including the informant. He further submits that the first information report has been lodged after a delay of two days, without any explanation. The petitioners have got a clean antecedent.

5. Per contra, the learned APP for the State vehemently opposes the prayer for bail of the petitioners.

6. Having heard the rival submissions and after going through the records, it appears that for the same occurrence, case and counter case has been lodged. The petitioner no.1 herein has lodged Goradih P.S. Case No. 76 of 2026 and the present case is a counter-blast of Goradih P.S. Case No. 76 of 2026. From perusal of the injury report, which has been annexed vide Annexure-P/3 to the present petition, it



would transpire that the doctor, who treated the injured persons, including the informant, found the injuries sustained by the injured persons to be simple in nature. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bhagalpur in connection with Goradih P.S. Case No. 77 of 2026, 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)

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