

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49588 of 2026

Arising Out of PS. Case No.-350 Year-2026 Thana- HILSA District- Nalanda

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1. Ashok Yadav S/o Narsingh Yadav Resident of Village- Gulani, P.S.- Hilsa, District- Nalanda
 2. Suraj Kumar S/o Ashok Yadav Resident of Village- Gulani, P.S.- Hilsa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 22-07-2026 Heard learned counsel for the for the petitioners and
learned APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Hilsa P.S. Case No. 350 of 2026, registered for offences punishable under Sections 126(2), 115(2), 117(2), 303(2), 109(1), 351(2), 352, 3(5) of Bharatiya Nyaya Sanhita.

3. As per the prosecution case, on 07.05.2026, when the informant was at his house, Ashok Yadav and Suraj Kumar along with 4-5 unknown persons, came with iron rods and started hurling abuses. One of the accused persons demanded *Rangdari*. When the informant made protest, Petitioner No. 1

assaulted him with an iron rod, which led to an injury on his waist, and also snatched his gold chain. Petitioner No. 2 assaulted the informant with a brick and stone, and also threatened of dire consequences if any complaint is lodged against them.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. It is contended that, allegations against the petitioners are false and baseless as alleged in the FIR. It is further submitted that neither of the petitioners assaulted the informant in any manner. In fact, on the alleged date of occurrence, the informant himself accidentally fell from the roof of the house, resulting in injuries to his waist. Despite the allegation in the FIR that the petitioners assaulted the informant with an iron rod causing a fracture to his waist, the medical evidence does not support the prosecution case as the injury report suggests a "suspected fall from height" which is consistent with the defence version and inconsistent with the allegations made in the FIR. Furthermore, no relevant incriminating exhibit or weapon was recovered during the investigation. It is, therefore, submitted that the allegations against the petitioners are not supported by the medical

evidence and have been levelled with an ulterior motive to falsely implicate them in the present case.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the clean antecedent of the petitioner, let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Hilsa, Nalanda in connection with Hilsa P. S. Case No. 350 of 2026 subject to the conditions as laid down under Section 482(2) of BNSS.

(S. B. Pd. Singh, J)

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