

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47358 of 2026**

Arising Out of PS. Case No.-95 Year-2026 Thana- SURYAGARHA District- Lakhisarai

1. Golu Yadav son of Paglu Yadav Resident of Village - Dhanauri, Ps-Surajgarha, Dist- Lakhisarai
2. Chato yadav @ Chato Kumar Son of Doman Yadav Resident of Village - Dhanauri, Ps- Surajgarha, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                             |
|--------------------------|---|-----------------------------|
| For the Petitioner/s     | : | Mr. Brajesh Sahay, Advocate |
|                          | : | Mrs. Rupa Sinha, Advocate   |
|                          | : | Ms. Harshita, Advocate      |
| For the Opposite Party/s | : | Mr. Rana Randhir Singh, APP |

**CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR**  
**ORAL ORDER**

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

2. The petitioners apprehend their arrest in connection with Surajgarha P.S. Case No. 95 of 2026, for allegedly having committed offence under Sections 126(2), 115(2), 109(1), 191(2) and 190 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, there was a wedding ceremony in the house of Mahendra Saw, wherein the wife, son and nephew of the informant went. Music was being played there and everyone were dancing and singing. In the



meantime, 10 named accused persons, including the petitioners, came in a drunken stage and stopped them from singing and playing loud music. When the same was objected by members present there, all the accused persons started assaulting them with lathi, danda and iron rod. It has been alleged that due to the assault by all the accused persons, the family members of the informant suffered injuries and they were taken to hospital.

4. The learned counsel for the petitioners submits that general and omnibus allegations have been levelled against the petitioners and no specific allegation of assault upon anyone has been attributed to the petitioners. Further, while referring to the order dated 19.06.2026 passed by the learned District and Additional Sessions Judge-IX, Lakhisarai in A.B.P. No. 761 of 2026, the learned counsel for the petitioners submits that the injuries sustained by the informant have been found to be simple in nature by the treating doctor, however the same are on the vital party of the body. He further submits that 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 and submits that the allegation against the petitioners are of assaulting the informant and others and several persons have



received injuries on the vital part of the body, therefore the petitioners do not deserve the privilege of anticipatory bail.

6. Having heard the rival submissions and after going through the records, it appears that general and omnibus allegation has been levelled against all the accused persons, including the petitioners herein. No specific allegation of assault has been attributed against the petitioners and from perusal of the nature of injuries, which have been recorded in the impugned order passed by the learned District and Additional Sessions Judge-IX, Lakhisarai, while rejecting the bail petition of the petitioners, it would transpire that the injuries sustained by the injured have been recorded to be simple in nature caused by hard and blunt substance. It has further been recorded that although the injuries are simple in nature, however the same have been repeated and are on the vital party of the body. 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 A.C.J.M. 1<sup>st</sup>, Lakhisarai in connection with Surajgarha P.S. Case No. 95 of 2026, subject to the conditions



as laid down under Section 482(2) of the B.N.S.S., with further condition:

(I) 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)**

AjayMishra/-

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