

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50100 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- BIHIA District- Bhojpur

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Bala Yadav, S/O Bhutnath Yadav Resident of Village- Pipra Jagdish, P.S.-
Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 21-01-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bihiya P.S. Case No. 60 of 2025 registered for the offences under Sections 126(2), 115(2), 352, 118(2), 303(2), 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. In the evening of the fateful day, while the maternal nephew of the informant went to his farm, in the meantime, the accused persons caught hold of him and started abusing. On protest, they have brutally assaulted. It is further alleged that when the informant and others came to his rescue, they were also assaulted by the accused persons, due to which all of them have sustained serious injuries, besides the aforesaid allegation, the accused persons also snatched the valuables.

4. Learned Advocate for the petitioner submitted that besides the fact that the genesis of the occurrence is a land



dispute, resulting into a free fight and injuries to the persons of both sides, there is no specific accusation against the petitioner that he has specifically assaulted any of the injured. Moreover, the maternal nephew of the informant has sustained one grievous injury, but the same is not specifically attributed to the petitioner. Other two persons have also sustained injury, but are of simple in nature. In the said occurrence, the persons of the petitioner's side have also sustained injuries, but the prosecution has not explained the injuries sustained to them. The petitioner bears clean antecedent and claims himself to be an innocent.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that on account of active participation of the petitioner with other accused persons, three of the persons, including the informant, have sustained serious injuries, out of which one is found to be grievous in nature.

6. Having considered the submissions Advanced by the learned Advocate for the respective parties and taking note of the omnibus nature of accusation; besides the fair antecedent of the petitioner, as also the fact that the grievous injury sustained to the injured Rahul Yadav is not specifically attributed to the petitioner, let the petitioner, named above, in



the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur at Ara in connection with Bihiya P.S. Case No. 60 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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