

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55165 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- TEKARI District- Gaya

1. Pramod Kumar S/O Sri Akhilesh Yadav R/O Village-Mahmanna, PS-Tekari, Distt-Gaya

2. Vikash Kumar @ Vikash Yadav S/O Lalu Yadav R/O Village-Mahmanna, PS-Tekari, Distt-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 61982 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- TEKARI District- Gaya

1. Ashok Kumar S/o- Udaya Yadav Village- Mahmanna Ps- Tekari Dist- Gaya

2. Raj Kumar Yadav @ Raj Kumar S/o- Late Hiranman Yadav Village- Mahmanna Ps- Tekari Dist- Gaya

3. Mayum Kumar @ Mayum Yadav @ Mochin Yadav S/o- Surendra Yadav Village- Mahmanna Ps- Tekari Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 55165 of 2025)

For the Petitioner/s :

Mr.Ajay Kumar Thakur
Ms.Vaishnavi Singh
Mr.Ritwik Thakur

For the Opposite Party/s :

Mr.Raj Kishor Singh
Mr.Manish Kumar No.2

(In CRIMINAL MISCELLANEOUS No. 61982 of 2025)

For the Petitioner/s :

Mr.Ajay Kumar Thakur
Mr.Ashok Kumar

For the Opposite Party/s :

Mr.Md. Aslam Ansari
Mr.Gajendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-02-2026

CRIMINAL MISCELLANEOUS No.55165 of 2025

1. Heard the learned Advocate for the petitioners, the



learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in connection with Tekari P. S. Case No.121 of 2025 instituted for the offences under Sections 126(1), 126(2), 115(2), 118(1), 117(2), 109, 324(4), 324(5), 3(5) of the B.N.S.

3. The learned counsel for the petitioners submits that informant alleges that on 07.03.2025 at about 11.00 P.M. his son along with his friends were returning home after attending a ceremony on a motorcycle and when they reached near a school, they were stopped by the accused persons. Further, the accused persons assaulted his son by lathi, danda, iron rod and stones causing head injury.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eye witness to the occurrence. It is also submitted that during course of investigation, it transpired that friends of the deceased, who were sitting behind on the motorcycle, did not receive any injury in the occurrence. It is thus submitted that since the deceased was driving a motorcycle



with his friends sitting behind and on account of issue of using dipper, the occurrence is alleged to have taken place. It is next submitted that since the deceased was an army personnel, as such, he also got enraged and started a fight on account of which, the occurrence took place, but then, it is submitted that petitioners are not criminals.

5. The learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the bail application. The learned counsel appearing on behalf of the informant opposes the bail application and submits that no doubt, the allegation of assault is not specific and informant is not an eye witness to the occurrence, but then, it was friend of the deceased, who disclosed about the occurrence to the informant based on which, the FIR came to be instituted. It is fairly submitted that allegation of assault is not specific, but then, the deceased received more than ten injuries which amply demonstrates that the manner in which he was assaulted, but then, the friends of the deceased did not receive any injury in the occurrence, on which the learned counsel appearing on behalf of the petitioners submits that since a dispute with regard to use of dipper arose and the deceased being an Army Personnel started the fight on account of which, the accused



persons including the villagers assaulted him, but then, it cannot be said that the accused persons had any intention of committing the occurrence of murder.

6. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioners on bail.

7. The prayer of the petitioners for regular bail stands rejected.

8. However, the petitioners would be at liberty to renew their prayer for bail after framing of charge.

CRIMINAL MISCELLANEOUS No. 61982 of 2025

1. Heard learned counsel for the petitioners and learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The Court is not inclined to release the petitioners on bail.

3. The prayer of the petitioners for regular bail stands rejected.

4. However, the petitioners would be at liberty to renew their prayer for bail after framing of charge.

(Satyavrat Verma, J)

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