IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60474 of 2026

CNR No. BRHC010858272026

Arising Out of PS. Case No.-461 Year-2025 Thana- BAISI District- Purnia

==========

1. Shankar Yadav @ Shankar Prasad Yadav @ Shankar Kumar Yadav S/O Late Lalji Yadav Resident of Jalal Pundaley, PS- Baisi, District- Purnea
2. Aadesh Kumar Yadav @ Aadesh Yadav S/O Shankar Yadav @ Shankar Prasad Yadav @ Shankar Kumar Yadav Resident of Jalal Pundaley, PS- Baisi, District- Purnea

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Md. Fazle Karim, Advocate
For the Opposite Party/s : Ms. Renuka Ratnakar, APP

==========

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 04-11-2026 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant (appeared suo moto).

2. The petitioners apprehend arrest in connection with Baisi P.S. Case No. 461 of 2025 lodged on 20.11.2025, for the offence punishable under Sections 127(1), 115(2), 110, 303(2), 351(2), 352 and 3(5) of the BNS, 2023.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioners. It has been alleged that the petitioners have assaulted the son of the informant due to which injury has been caused to his son, his

WEB COPY

wife as well as to the informant due to which injury took place. The allegation of snatching Rs. 10,000/- is also there.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that both informant and petitioners both are resident of the same village and they are well-known to each other and due to village politics, the scuffling took place between the families due to which injury has been cause to both sides. He further submits that for the same date and place of occurrence, there is case and counter case between the parties.

5. Counsel submits that during investigation, the charge-sheet has been submitted in bailable section vide Annexure-3 of the bail petition, but subsequently cognizance has been taken under non-bailable section, which creates apprehension of arrest to the petitioners, therefore, they moved for anticipatory bail.

6. Counsel further submits that antecedent of the petitioners is clean and they are ready to fulfill all conditions whatsoever imposed upon them.

7. Learned counsel for the informant, on the other hand, vehemently opposes the prayer for bail of the petitioners and submits that there is specific allegation against the petitioner

WEB COPY

No. 1 that he has assaulted the son of the informant due to which injury has been caused. Counsel further submits that though doctor has identified that injury is simple in nature, but it has been disbelieved in the impugned order that the said injury is simple in nature and, thereafter, cognizance has been taken. In this background, the bail application of the petitioners may be rejected.

8. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioners but fairly submits that for the same date and place of occurrence, there is case and counter case. Counsel further submits that both parties are residents of the same village. He further submits that after investigation, initially case has been lodged under bailable sections, but Court has taken cognizance under non-bailable section.

9. As such, in the present facts and circumstances of the case and considering that both parties are residents of the same village, let the above-named petitioners be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of the

WEB COPY

Chief Judicial Magistrate, Purnea, in connection with Baisi P.S. Case No. 461 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

Prakashmani/-
Anjali/-

U		T	

WEB COPY