IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67695 of 2026

CNR No. BRHC010923812026

Arising Out of PS. Case No.-5 Year-2026 Thana- GOPALPUR District- Bhagalpur

==========

1. Manoj Yadav S/O Haribol Yadav Resident of Village-Kamlakund, Police Station-Gopalpur, District-Bhagalpur
2. Amresh Yadav S/O Haribol Yadav Resident of Village-Kamlakund, Police Station-Gopalpur, District-Bhagalpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Amrendra Kumar, Adv.
For the Opposite Party/s : Mr. Ajit Kumar, APP

==========

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 06-11-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Gopalpur P.S. Case No. 05 of 2026, dated 07.01.2026 registered for the offence punishable under Sections 191(2), 126(2), 115(2), 109, 117(2), 351(2) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, a dispute arose when the informant objected to the measurement of his private land for road construction. Thereupon, the accused persons allegedly assaulted the informant and his family members with an iron rod

WEB COPY

and other means, causing injuries. Manoj Yadav also assaulted Vikash Yadav on the head. Upon intervention by the informant's brother, Krishnadeo Yadav, he was also assaulted.

4. Counsel for the petitioner, by referring to the statement made in the petition, submits that the Informant of this case was forcibly trying to encroach the personal land of the petitioners for construction of PCC road which was opposed by the petitioners whereafter the Informant and his men started assaulting the petitioners during which both the sides are said to have sustained injuries. It has also been submitted that there is a case and counter case and injuries which have been sustained by the Informant have been found to be simple in nature, while the petitioner’s wife is also said to have sustained injuries. Lastly, it is submitted that the petitioners bear no antecedent.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Having heard the learned counsel for the parties and considering that there are cases and counter-cases between the parties, both sides sustained injuries in the alleged occurrence and that the injuries sustained by the informant were found to be simple in nature and, as also, taking into account that the petitioners bear no criminal antecedents, let the above named

WEB COPY

petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Naugachia, Bhagalpur in connection with Gopalpur P.S. Case No. 05 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty

WEB COPY

to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

rishi/-

U		T	

WEB COPY