

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73327 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- Ramgarh Chowk District- Lakhisarai

1. Kaleshwar Yadav @ Kale Yadav @ Kale S/O Late Chulhan Yadav Resident of village - Bhabhriya, P.S- Ramgarh Chowk ,District- Lakhisarai
2. Bhola Yadav S/O Late Chulhan Yadav Resident of village - Bhabhriya, P.S- Ramgarh Chowk ,District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad, Advocate Mr. Indrajeet Kumar, Advocate
For the Opposite Party/s	:	Mr. Harendra Prasad, APP Mr. Narsingh Tanti, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-01-2026

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Ramgarh Chowk P.S. Case no.138 of 2025 registered under sections 115(2), 126(2), 109(1), 303(2) 352, 351(2), 191(2), 191(3) and 76 of the Bhartiya Nyaya Sanhita, 2023 and sections 3 & 4 of the Bihar Prevention of Witchcraft-Related Offences Act, 2018 (Dain Act).

3. As per the prosecution case, the accused persons including the petitioners herein are said to have come variously armed and of having assaulted the informant leading to injuries. It is further stated that Bhola Yadav was armed with an iron rod



and he has also assaulted the nephew of the informant while Kale Yadav is said to have assaulted the wife of informant leading to injuries.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. No such occurrence as alleged has taken place. The manner of occurrence is other than what has been narrated in the F.I.R. The injury on the informant has been found to be simple in nature. The petitioners are in custody since 22.7.2025 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioners are named in the FIR but there is specific allegation against them and injury has been caused to the informant on vital part of the body. Learned counsel submits that both the petitioners were convicted in a similar offence on earlier occasion.

6. Having heard learned counsel for the parties and having perused the material that has transpired in course of investigation, it transpires that the nature of injury on the informant has been opined to be simple in nature. The injury report of the nephew and wife of the informant is not available



in the case diary nor is the learned counsel for the informant aware of the same. Taking into consideration the allegation of assault on the informant being general and omnibus in nature together with the petitioner having remained in custody since 22.7.2025 and charge-sheet having been submitted in the case, both the petitioners are directed to be enlarged on bail in connection with Ramgarh Chowk P.S. Case no.138 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai.

(Partha Sarthy, J)

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