IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75914 of 2026

CNR No. BRHC011072402026

Arising Out of PS. Case No.-711 Year-2025 Thana- JAHANABAD District- Jehanabad

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1. Binay Kumar S/o Shiv Bachan Yadav Resident of Village - Rameshbigha, P.S - Jehanabad (Kalpa O.P), District - Jehanabad
2. Shiv Bachan Yadav S/o Late Hari Yadav Resident of Village - Rameshbigha, P.S - Jehanabad (Kalpa O.P), District - Jehanabad

... ... Petitioners

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioners : Mr. Purushotam Sharma, Adv.
For the Opposite Party : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with Jehanabad (Kalpa) P.S. Case No.711 of 2025 registered for the offences punishable under Sections 190, 191(2), 191(3), 103(1), 126(2), 115(2), 109 and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The petitioners are named in the FIR and are in custody since 29.05.2026.

4. Fourteen named co-accused persons found involved in brutal assault to the father of the informant due

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to which he died. The informant and his family members also received injuries during the occurrence.

5. It is submitted by learned counsel appearing for petitioners that allegation to cause head injuries, which as per autopsy report proved fatal is specifically available against co-accused Dharamveer Kumar and for the said reason only, his bail was rejected by one of learned co-ordinate Bench of this Court through Cr. Misc. No. 30202 of 2026, dated 06.08.2026, whereas through same order, the bail of co-accused Dilip Yadav was allowed as allegation of causing head injury was not available specific against him. It is submitted that case of petitioners are on the similar footing of Dilip Yadav and, therefore, as a matter of judicial parity, these petitioners also deserves bail. While concluding argument, it is submitted that investigation of this case has already been completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. Petitioners claimed clean antecedent.

6. Learned APP opposes the prayer for grant of bail to the petitioners.

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7. In view of aforesaid factual submissions and by taking note of fact as allegation of assault *prima-facie* not appears specific against these petitioners, and as similarly situated co-accused namely, Dilip Yadav has already been granted bail as mentioned aforesaid coupled with the fact that investigation of this case has already concluded, wherein petitioners being men of clean antecedent are in custody since 29.05.2026, accordingly, both above-named petitioners, are directed to be released on bail 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 Chief Judicial Magistrate, Jehanabad/concerned court, in connection with Jehanabad (Kalpa) P.S. Case No.711 of 2025, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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