IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76199 of 2026
CNR No. BRHC011088452026
Arising Out of PS. Case No.-109 Year-2024 Thana- GOPALPUR District- West Champaran

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1. Kuresh Yadav @ Brijesh Yadav Son of Gaurav Yadav Resident of Village- Satgarhi, Ward No.- 01 , P.S.- Gopalpur, District- West Champaran.
2. Ram Bahadur Yadav Son of Baban Yadav Resident of Village- Satgarhi, Ward No.- 01 , P.S.- Gopalpur, District- West Champaran.

... ... Petitioner/s

Versus

The State of Bihar. ... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dhananjay Kumar, Advocate.
For the State : Mr. Tapeshwar Sharma, A.P.P.
For the Informant : Ms. Kumari Akansha Rai, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 04-11-2026 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in connection with Gopalpur P.S. Case No.109 of 2024 instituted under Sections 126(2), 115(2), 118(1), 109, 324(4), 303(2), 329(3), 352 & 3(5) of the B.N.S., 2023.

3. As per the prosecution case, when the son of one Pramod Yadav was walking through the mango orchard of informant, her son objected to the same, whereupon Pujesh Yadav assaulted her son. The matter was, however, pacified by the intervention of the neighbouring persons. Subsequently, all the accused persons including the petitioner alongwith ten unknown persons, allegedly armed with various weapons came to the informant's house, abused her and, when she objected,

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assaulted her with *lathis* and *dandas*. When her nephew, came to her rescue, co-accused Ram Bahadur Yadav allegedly assaulted him on the head with a *farsa*, causing injuries. The accused persons also broke open the door of her house and ransacked the household articles, while petitioner allegedly snatched her gold chain.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. He further submits that after investigation, the charge sheet has already been submitted. The police has filed the final form against the petitioner no.1, however, the Court has taken cognizance against all the accused persons including the petitioner no.1. Learned counsel submits that the alleged occurrence took place on 19.07.2024, however, the F.I.R. was registered on 22.07.2024 and, thus, there is inordinate delay in lodging the F.I.R. which creates doubt about the alleged occurrence. He further submits that the injury to the injured is simple in nature. There is no chance of absconding the petitioners or tampering with the evidence by the petitioners. Learned counsel submits that petitioners have got clean antecedent and they undertake to cooperate in the trial of the case.

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5. Learned counsel for the informant and learned Additional Public Prosecutor for the State oppose the prayer for anticipatory bail of the petitioners. Learned counsel submits that although final form against the petitioner no.1 was filed by the Police after investigation, however, considering the serious allegation against the petitioner no.1, the Court concerned has taken cognizance against the petitioner no.1.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioners as well as their clean antecedent, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VIII, Bettiah, West Champaran/ concerned Court in connection with Gopalpur P.S. Case No.109 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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