

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79410 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- SURYAGARHA District- Lakhisarai

Polo Yadav @ Pravesh Yadav S/o Late Dashrath Yadav R/o - Nawabganj, P.S
- Surajgarha, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 24-02-2026 Heard the parties.

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Surajgarha P.S. Case No. 80 of 2024 registered for the offences punishable under Sections 341, 323, 504, 506, 307, 379 385, 34 of IPC and Section 27 of Arms Act.

3. As per FIR, petitioner alleged to assault informant on his head during the occurrence by using *khanti*, whereas other co-accused persons opened firing which could not hit informant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that prior to this FIR, the informant lodged another criminal case which has been registered as



Surajgarha P.S. Case No. 322 of 2023 almost with same allegation for the reason that brother of petitioner was business partner of the informant and when certain business related dispute surfaced, repeated false case was lodged. In support of same learned counsel referred Annexure-P/2 of the present bail petition. It is submitted that no visible injury out of alleged assault made by *Khanti*, was noticed and even the CT Scan report of the injured / informant, nowhere suggest that any grievous injury was found upon. In this connection learned counsel drawn attention of this Court towards para 38 of the case diary. Explaining criminal antecedents, it is submitted that petitioner found involved in six more criminal cases where he is on bail in five case.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that the informant specifically alleged this petitioner to assault upon his head by using *khanti* but fairly conceded that there was no visible injury and upon CT Scan no fracture was found.

6. In view of aforesaid factual submission and by taking note of fact as *prima-facie* there is no visible injury as



alleged to be caused by this petitioner, where the CT Scan report also not suggesting *prima-facie* that there was any grievous injuries, coupled with the fact that Annexure-P/2 suggest a business rivalry, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Lakhisarai /concerned Court, where the case is pending in connection with Surajgarha P.S. Case No. 80 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS, subject to condition that:-

- (i) That petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.*
- (ii) Any deliberate attempt on the part of petitioner as to delay the trial may lead to his cancellation of bail bond, if pressed by the prosecution/State, after giving an opportunity of hearing to the petitioner.*

(Chandra Shekhar Jha, J)

Sudha/-

U		T	
---	--	---	--

