

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77924 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- KURSAILA District- Katihar

Badal Yadav S/O Mangan Yadav Resident of Mohalla/ Village - Gandhi Ghar,
Bindhtoli, Kheriya Yadav Tola, P.S.- Kursela, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 78075 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- KURSAILA District- Katihar

Buttan Mandal S/o Mahesh Mandal Resident of Mohalla/ Village - Gandhi
Ghar, Bindhtoli, Kheriya Yadav Tola, P.S.- Kursela, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 80235 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- KURSAILA District- Katihar

Buttan Yadav son of Kishun Yadav @ Kishan Yadav Resident of
Mohalla/Village - GandhiGhar, Bindhtoli, Kheriya Yadav Tola, P.S.- Kursela,
District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 77924 of 2025)
For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP
For the Informant : Mr. Manish Kumar, Advocate
: Ms. Asha Verma, Advocate
(In CRIMINAL MISCELLANEOUS No. 78075 of 2025)
For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey
For the Informant : Mr. Manish Kumar, Advocate
: Ms. Asha Verma, Advocate



(In CRIMINAL MISCELLANEOUS No. 80235 of 2025)
For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey
For the Informant : Mr. Manish Kumar, Advocate
: Ms. Asha Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-01-2026 Heard learned counsel for the petitioners, learned counsel appearing on behalf of the Informant as well as Mr. learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail in connection with Kursela P.S. Case No. 64 of 2025, F.I.R. dated 18.03.2025 for the offences punishable under Sections 103(1), 238, 61(2) of the Bharatiya Nyay Sanhita, 2023 and Section 27 of Arms Act.

3. According to prosecution case, the informant alleged that on 18.03.2025, when he along with his family members went to work in his field, then FIR named accused persons including the petitioners started abusing and assaulted informant's side and fired upon them due to which, informant's brother died.

4. Learned counsel for the petitioners submits that petitioners are innocent and they are falsely been implicated in the present case. From bare perusal of the FIR it appears that there is no specific allegation of assault or overt act or firing attributed against the petitioners and during investigation various statements of the informant was recorded in which he



has categorically stated that Karu Lal Yadav had fired upon the victim and he did not stated anything about the petitioners. The police after investigation submitted charge-sheet and petitioners, namely, Badal Yadav is in custody since 25.07.2025, Buttan Mandal is in custody since 14.05.2025, Buttan Yadav is in custody since 29.07.2025.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that petitioners have fired upon the victim and apart from that petitioner, namely, Buttan Yadav carries three criminal antecedents in which he is on bail in all the three cases whereas petitioners, namely, Badal Yadav and Buttan Mandal have clean antecedent.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Kursela P.S. Case No. 64 of 2025, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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