IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79892 of 2026

CNR No. BRHC011150442026

Arising Out of PS. Case No.-222 Year-2025 Thana- BARACHATTI District- Gaya

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Kamaldeo Yadav S/o Shibu Yadav @ Shiva Yadav R/o Village- Dolan Bigha (Dulma Dih), P.S.- Barachatti, Dist- Gaya Ji

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Vijay Kumar, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Barachatti P.S. Case No. 222 of 2025 registered for the alleged offences under Sections 190, 115, 76, 109, 303(2), 352, 351(2), 191(2) of BNS.

03. As per prosecution case, the petitioner and other co-accused persons made an unlawful assembly before the house of the informant. When the informant asked them to move from the said place, they threatened the informant to kill and when the wife of the informant intervened, she was put down and the petitioner gave a blow of iron rod on the head of the

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informant causing its fracture. The other co-accused persons also assaulted other family members of the informant causing injuries to them. They also damaged the tempo, door of the house and other household articles.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The FIR has been registered after much delay as the occurrence is said to have taken place on 12.06.2025 whereas the FIR has been instituted on 23.06.2025. The parties are next door neighbour having land dispute between them. Learned counsel further submits that the injury report did not support the allegation against the petitioner that he gave a blow of iron rod on the head of the informant causing its fracture as the injury report shows only tenderness and swelling over the head of the informant though injury was stated to be grievous. It also shows there was no intention to cause death and there was no allegation of repetition of blow. The petitioner is having antecedent of two cases in which he is on bail. The petitioner is in custody since 07.09.2026.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the fardbeyan of the informant was recorded on 13.06.2025 though there is

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delay in lodging the FIR and the same has been registered on 23.06.2025.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is said to have struck only one blow and there was no repetition of blow and also considering the nature of injury and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Sherghati, Gaya Ji/concerned Court in connection with Barachatti P.S. Case No. 222 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the

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terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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