

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84857 of 2025

Arising Out of PS. Case No.-305 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

1. Sunita Devi W/O Nageshwar Yadav
2. Chandershwar Yadav S/O Late Babulal Rai
Both are R/O Village- Tikkuliya, P.S- Muffasil Motihari, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 80230 of 2025

Arising Out of PS. Case No.-305 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

1. Pukar Yadav S/o- Late Yugeshwar Yadav
2. Nageshwar Yadav S/o- Shyamakant Yadav
Both are R/v- Tikuliya Ps- Muffasil Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 84857 of 2025)

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, APP

(In CRIMINAL MISCELLANEOUS No. 80230 of 2025)

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 04-05-2026 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Muffasil P.S. Case No. 305/2025 registered for the



offence(s) punishable under Sections 191(2), 190, 126(2), 115(2), 118(1), 117(2), 109, 76, 303 and 352 of the BNS.

3. As per the allegations made in the FIR, the accused persons named therein, including the petitioners, came to the house of the informant and abused him. When the informant protested, they assaulted him. Accused Pukar Yadav inflicted a blow with an iron rod upon the informant, while accused Nageshwar Yadav assaulted the informant's mother with an iron rod on her right hand, causing a fracture injury. Chandeshwar Yadav inflicted a farsa blow to the informant's brother, resulting in a head injury. Accused Surendra Yadav allegedly snatched a gold chain worth Rs. 1,00,000/- from the neck of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have been falsely implicated in the present case. It is contended that no specific allegation has been levelled against Sunita Devi. So far as Chandeshwar Yadav is concerned, the allegation is of assaulting the informant's brother with a *farsa* on his head, however, the injury sustained is stated to be simple in nature. With regard to Pukar Yadav, the allegation is that he assaulted the informant on his hand and shoulder, while Nageshwar Yadav



is alleged to have assaulted the informant's mother on her hand, causing grievous injuries to both of them, however, the injuries are not on any vital part of the body. It is further submitted that the petitioners have clean antecedents. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties and upon perusal of the allegations made in the FIR, I find that there is no specific allegation against Sunita Devi (**petitioner no.1 in Cr. Misc. No. 84857 of 2025**). So far as Pukar Yadav and Nageshwar Yadav (**petitioners in Cr. Misc. No. 80230 of 2025**) are concerned, the allegation against Pukar Yadav is that he assaulted the informant on his hand and shoulder, while Nageshwar Yadav assaulted the informant's mother on her hand, causing grievous injury, however, the injuries are not on vital parts of the body. In view of the above, I am of the opinion that they have, prima facie, made out a case for grant of pre-arrest bail.

7. Accordingly, **Sunita Devi (petitioner no.1 in Cr. Misc. No. 84857 of 2025) and Pukar Yadav and Nageshwar Yadav (petitioners in Cr. Misc. No. 80230 of 2025)** are



directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on 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 C.J.M., East Champaran, Motihari / concerned Court, in connection with Muffasil P.S. Case No. 305/2025, subject to the conditions laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the **Sunita Devi (petitioner no.1 of Cr. Misc No.84857 of 2025) and Pukar Yadav and Nageshwar Yadav (petitioners of Cr. Misc. No.80230 of 2025)** and if it is found that they are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

9. So far as accused **Chandeshwar Yadav (petitioner no.2 in Cr. Misc. No. 84857 of 2025)** is concerned, the allegation against him is that he assaulted the informant's brother on the head with a *farsa* with an intention to kill, which is a vital part of the body. Although the injury is stated to be simple in nature, considering the nature of the allegation, he is directed to surrender before the learned District Court and seek



regular bail.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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