

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79062 of 2025

Arising Out of PS. Case No.-150 Year-2022 Thana- MAGADH UNIVERSITY District- Gaya

1. Dilchand Yadav S/o Late Ram Pati Yadav,
 2. Santosh Kumar @ Santosh Yadav, S/o Dilchand Yadav
 3. Pintu Kumar @ Pintu Yadav, S/o Shivchand Yadav @ Shivnandan Yadav @ Shivchan Yadav
All are R/o Village- Chhechhu Bigha Bilauti, P.S.- Gurua, District- Gaya.
- Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 20-02-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR and apprehending their arrest in connection with Magadh University P.S. Case No.150 of 2022 registered under Sections 341, 323, 308, 324, 504 and 506 read with 34 of the Indian Penal Code.

3. As per FIR, the informant alleged to be assaulted by petitioners and other co-accused persons, where alleged assault may likely to cause his death.

4. It is submitted by learned counsel appearing for petitioners that the wife of petitioner no.1 namely, Kamla



Devi lodged a case against informant's father, brother and others, which was registered as Gurua P.S. Case No.16 of 2019 and to create pressure as to compromise in aforesaid matter, the present false case was lodged as an afterthought when the informant met with a motorcycle accident. It is submitted that the parties are in inimical terms and further a civil suit is also pending between them *qua* land dispute. In support of submission *qua* false implication out of previous enmity, learned counsel for petitioners highlighted the fact that as per FIR, the occurrence took place on 14.05.2022, whereas the *fardbeyan* of injured/informant was recorded on 24.05.2022 but the FIR in issue was lodged on 20.06.2022. It is submitted that allegation *qua* physical assault is appearing very much general and omnibus in nature. Explaining criminal antecedent, it is submitted that petitioner nos. 1 and 2 found involved in one more criminal case, where they are on bail, whereas petitioner no.3 is a man of clean antecedent

5. Learned APP while opposing the prayer of bail submitted that the informant has received grievous head



injury during the occurrence.

6. Let it be so, as the FIR in issue was lodged after 37 days of the occurrence, where the allegation *qua* physical assault is appearing very much general and omnibus against petitioners, accordingly, all three above-named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, First Class, Gaya in connection with Magadh University P.S. Case No.150 of 2022, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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