IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81246 of 2026

CNR No. BRHC011157812026

Arising Out of PS. Case No.-303 Year-2025 Thana- KHAGARIA District- Khagaria

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Sunil Yadav @ Sunil Kumar Yadav S/O Late Kamli Yadav Resident of Village- Gangia, Ward No. 11, P.S- Gangour, District- Khagaria.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Praveen Kr. Agrawal, Advocate
	:	Mr. Nikhil Kumar, Advocate
	:	Mr. Manjeet Raj, Advocate
	:	Mr. Anshu Kumar, Advocate
For the State	:	Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 25-11-2026 Heard Mr. Praveen Kr. Agrawal, learned counsel for the petitioner as well as Mr. Parmanand Kumar, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 15.09.2026 in connection with Khagaria (Gangour) P.S. Case No. 303 of 2025, F.I.R. dated 09.10.2025 for the offences punishable under Sections 126(2), 115(2), 329(4), 110, 74, 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the petitioner along with co-accused persons entered the informant's house and assaulted her husband on the head with an iron rod, causing a grievous injury and co-accused persons inflicted injuries with

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sharp weapons on other family members.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The present case is counter blast of Khagaria (Gangour) P.S Case No. 293 of 2025 and both the parties are agnates to each other. It appears from the FIR that date of the occurrence was on 29.09.2025 but the FIR was lodge on 09.10.2025 i.e. after delay of about ten days without giving any reason of delay, after thought only to falsely implicate the petitioner. He next submits that although there is specific allegation in the FIR against the petitioner that he assaulted the informant' husband by means of iron rod but the incident happened due to spur of moment and there was no intention to kill anybody. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 15.09.2026

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and apart from that petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that

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the petitioner is on bail in the said matters.

6. Considering the aforesaid facts and circumstances and the fact that there is case and counter case between the parties, let the petitioner, 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, Khagaira in connection with Khagaria P.S. Case No. 303 of 2025, subject to the following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the

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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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