

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82320 of 2025

Arising Out of PS. Case No.-388 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. Raj yadav @ Raj Kumar Yadav son of Late Bikarma Yadav Resident Of Village - Mohalla Sareya Ward No.-13 P.s- Gopalganj, District - Gopalganj
 2. Guddu Yadav @ Guddu Kumar Yadav Son of Late Raghuber Yadav @ Raghuveer Yadav @ Late Harikrishna Yadav Resident Of Village - Mohalla Sareya Ward No.-13 P.s- Gopalganj, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Alias Ashok Karn
For the State	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Najeeb Ahmad, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2026 Heard Mr. Ashok Kumar @ Ashok Karn, learned counsel for the petitioners, Mr. Anant Kumar 1, learned Additional Public Prosecutor for the State and Mr. Najeeb Ahmad, learned counsel for the informant.

2. The petitioners seek bail, who are in custody since 01.09.2025 in connection with Gopalganj P.S. 388 of 2025, F.I.R. dated 24.05.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 3(5) of the BNSS, 2023.

3. According to prosecution case, petitioners and other accused persons are alleged to have assaulted the informant's son by knife, katta, iron rod etc. due to which his son became



injured.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have not committed any offence as alleged in the FIR. Although, the petitioners are named in the FIR but there is no specific allegation of any assault or overt act attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners that they have assaulted the son of the informant and the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 01.09.2025.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners and submits that son of the informant had received twelve injuries which suggest that all the accused persons have brutally assaulted him and all the injuries are found to be grievous in nature.

6. Considering the aforesaid facts and circumstances of the case, also the fact that the petitioners have clean antecedent and there is no specific allegation of assault or overt act against the petitioners and chargesheet has been submitted by the prosecution, let the petitioners, above named, be released



on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj P.S. Case No. 388 of 2025, with 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 her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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.

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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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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