

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86700 of 2025

Arising Out of PS. Case No.-160 Year-2025 Thana- JALALGARH District- Purnia

1. Pradeep Yadav @ Pradip Prasad Yadav S/o- Ganga Yadav @ Late Ganga Prasad Yadav R/v- Simma Ps- Jalalgarh Dist- Purnea
2. Asha Devi W/o- Suresh Yadav @ Suresh Prasad Yadav R/v- Simma Ps- Jalalgarh Dist- Purnea,
3. Anup Devi @ Anu Devi D/o- Suresh Yadav W/o- Sanjit Yadav R/v- Simma Ps- Jalalgarh Dist- Purnea, P/A- Shiv Mandir Tola Belouri Ps- Ranipatra Dist- Purnea
4. Asthami Kumari D/o- Suresh Yadav @ Suresh Prasad Yadav R/v- Simma Ps- Jalalgarh Dist- Purnea
5. Nikita Kumari D/o- Suresh Yadav @ Suresh Prasad Yadav R/v- Simma Ps- Jalalgarh Dist- Purnea
6. Aditya Yadav @ Pratap Kumar S/o- Sanjeet Yadav @ Sanjiv Yadav R/v- Shivmandir Tola Belouri Ps- Ranipatra Dist- Purnia
7. Sanjeet Yadav S/o- Janardan Yadav R/v- Shivmandir Tola Belouri Ps- Ranipatra Dist- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. Vikram Singh, learned counsel for the petitioner and Mr. Ram Anurag Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Jalalgarh P.S. Case No. 160 of 2025, F.I.R. dated 03.08.2025 for the offences punishable under Sections 191(2), 191(3), 126(2), 115(2), 117(2), 109, 76, 303(2), 334 (1),



352 and 351(2) of the BNS.

3. As per the First Information Report, due to land dispute, the petitioners along with other co-accused persons assaulted to the informant and when the informant's son came to save her he was also assaulted by Suresh Yadav with iron rod on his head causing head injury. It is further alleged that the co-accused Suresh Yadav with intention to outrage the modesty of the informant tore her clothes but on raising alarm she was saved by her husband. Thereafter, the husband of the informant was also assaulted by the accused persons. The informant further alleged that the accused persons namely Suresh Yadav and Pradeep Yadav entered into the house of the informant and took away 10 bhar silver ornaments along with cash of Rs.25,000/- from the pocket of the informant.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R., rather due to some land dispute the present occurrence has taken place. It is further submitted that land of the informant was measured in the presence of the family members of the



petitioners and the informant and as per measurement report dated 05.02.2025, it suggests that the informant was in possession of the land of the petitioners due to this reason present occurrence has taken place and apart from the aforesaid there is no specific allegation of assault or overt act rather there is general and omnibus allegation against these petitioners.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, the petitioners have clean antecedent and no specific allegation of assault is against these petitioners and the injury report of the person injured is simple in nature and due to land dispute between the parties, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate, 1st Class, Purnea, in connection with Jalalgarh P.S. Case No. 160 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 their absence on two consecutive dates without sufficient reason, their 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 bond 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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