

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85538 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- SIKTI District- Araria

Shatrughan Yadav Son of Late Gayanand Yadav Resident Of Village
-Dahgama, Ward No 04, Panchayat Dahgama, P S -Sikti District -Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-01-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Sikti P.S. Case No. 133 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 76, 303(2), 118(1) and 3(5) of the BNS, 2023.

3. Allegedly on the fateful day, while the petitioner along with others forcibly ploughing the field of the informant through the tractor and when the same was objected, this petitioner caught hold the informant, whereupon co-accused *Nageshwar Yadav @ Rajesh Yadav* assaulted him by means of spade, due to which she sustained serious injury over her nose. There is further allegation against the other accused persons of snatching of valuables.



4. Learned Advocate for the petitioner taking this Court through the FIR contended that the specific allegation has been levelled against co-accused *Nageshwar Yadav @ Rajesh Yadav*, who is not before this Court. So far the petitioner is concerned, he is said to be a person, who caught hold the informant. There is no allegation of any overt act against him. So far the criminal antecedent of the petitioner is concerned, the same is of 2003 and in the recent past, the petitioner has not been made accused in any other case. The reason behind the said occurrence is nothing but a land dispute. Moreover, there is a counter version of the present case being Complaint Case No. 1462 of 2025, instituted against the informant and others. It is lastly contended that the petitioner undertakes the he will fully co-operate in the proceeding of the Court and abide by the terms and conditions, as would be imposed by this Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioner has actively participated in the crime, resulting into grievous injury sustained to the informant.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the limited accusation against the petitioner, coupled with the



fact that the grievous injury sustained to the informant is attributed to co-accused persons, besides the pending land dispute as well as the case and counter case, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Araria in connection with Sikti P.S. Case No. 133 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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