

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86706 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- MIRGANJ District- Purnia

1. Umesh Yadav S/o- Late Sadhu Yadav Resident of Village- Dumariya, W.No-11, PS- Mirganj District- Purnea
2. Bambam Kumar @ Diwakar @ Diwakar Kumar S/o- Umesh Yadav Resident of Village- Dumariya, W.No-11, PS- Mirganj District- Purnea
3. Bhola Yadav S/o- Late Sadhu Yadav @ Sadadhu Yadav Resident of Village- Dumariya, W.No-11, PS- Mirganj District- Purnea
4. Shanti Devi W/o- Umesh Yadav Resident of Village- Dumariya, W.No-11, PS- Mirganj District- Purnea
5. Arti Kumari D/o- Umesh Yadav Resident of Village- Dumariya, W.No-11, PS- Mirganj District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. Bipin Kumar, learned counsel for the petitioners and Mr. Pranav Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Mirganj P.S. Case No. 83 of 2025, F.I.R. dated 16.05.2025 for the offences punishable under Sections 191(2), 191(3), 126(2), 115(2), 109, 303(2), and 352 of the BNS.

3. As per the First Information Report, due to keeping straw of wheat in a tina house situated at the door of the



informant, the petitioners along with other co-accused persons assaulted to the informant with iron rod on his head causing head injury. It is further alleged that the co-accused Ajit Kumar snatched 10 gram of gold locket from 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. There is case and counter case between the parties 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. The injury report of the informant suggests that injury is simple in nature caused by hard and blunt substance.

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 Chief Judicial Magistrate, Purnea, in connection with Mirganj P.S. Case No. 83 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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