

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88870 of 2025

Arising Out of PS. Case No.-208 Year-2025 Thana- PHENHARA District- East Champaran

Munna Yadav @ Rakesh Kumar Yadav S/O Ramadhar Yadav @ Ramadhar
Rai Resident of Village- Govindbara, P.S.- Fenhara, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126(2), 109, 308(4), 351(2) and 3(5) of B.N.S.

3. The case of the prosecution is that the petitioner has assaulted the son of the informant, namely, Gulshan Kumar with the butt of the gun.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the order of the learned trial court, it will transpire that learned



trial court has recorded that “ As per para-55 of the case diary, the injured Gulshan Kumar has sustained abrasion of 1 inch on left eyebrow, pain on chest, pain on back and bodyache.” Learned counsel for the petitioner has further submitted that as far as pain and bodyache are concerned those are not the injuries they are only feelings and cannot be termed as injuries. Only one injury was found on the person of the Gulshan Kumar that is very superficial whereas the allegation is that the petitioner has assaulted him on the head with the butt of the gun. Learned counsel for the petitioner has also submitted that though he is having criminal antecedent of twelve cases but he has been acquitted in five cases and he is on bail in rest of the cases. Moreover, the petitioner is languishing in judicial custody since 25.09.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fenhara P.S. Case No. 208 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Judicial Magistrate, First
Class, East Champaran at Motihari.

(Ashok Kumar Pandey, J)

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