

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88335 of 2025

Arising Out of PS. Case No.-520 Year-2025 Thana- FATEHPUR District- Gaya

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Baleshwar Yadav S/O Late Wigan Yadav @ Bigan Yadav R/O Village -
Naudiha, P.S.- Fatehpur, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-01-2026 Heard Mr. Ranjan Kumar, learned counsel for the

petitioner and Mr. Uday Pratap Singh, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
19.08.2025 in connection with Fatehpur P.S. Case No. 520 of
2025, F.I.R. dated 16.07.2025 for the offences punishable under
Sections 126(2), 115(2), 117(2), 109, 76, 303(2), 351(2), 3(5) of
the B.N.S., 2023.

3. According to prosecution case, petitioner and other
accused persons assaulted the informant with iron rod on his
head resulting his head injury and he fell down. Further other
accused persons also assaulted the informant. When the family
members came to save him, they were too assaulted by the
accused persons.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the F.I.R. that due to some land dispute, the present occurrence had taken place. There is case and counter case between the parties. Although, the specific allegation against the petitioner is that he assaulted the informant by means of iron rod and he receives the injury but the injury report of the injured person suggest that the injury is simple in nature caused by hard and blunt substance. The police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 19.08.2025.

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

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent, there is case and counter case, injury inflicted upon the informant is found to be simple in nature, let the petitioner, above named, 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, Gaya Ji in connection with Fatehpur P.S. Case No. 520 of 2025, with the following conditions:

i. Petitioner 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 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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