

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87902 of 2025

Arising Out of PS. Case No.-246 Year-2025 Thana- MAHKAR District- Gaya

Devendra Yadav S/o Late Nathun Yadav Resident of Village- Bahwalpur, P.S.-
Mahkar, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

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

petitioner and Mr. Anant Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
25.10.2025 in connection with Mahkar P.S. Case No. 246 of
2025, F.I.R. dated 15.10.2025 for the offences punishable under
Sections 126(2), 115(2), 109(1), 352, 351(2), 3(5) of the B.N.S.

3. According to prosecution case, petitioner is alleged
to have assaulted the informant on his head with lathi due to
which he sustained head injury. Further other accused persons
came at the informant house and also threatened to face dire
consequences.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. Although the specific allegation against the petitioner in the F.I.R. is to assault the informant and the informant received head injury but from perusal of injury report the nature of injury is found to be simple. It appears from the F.I.R. that due to some petty dispute, the present occurrence took place. The police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 25.10.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, injury inflicted upon the informant is found to be simple in nature and the police has submitted chargesheet against the petitioner, 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 A.C.J.M.-IV, Gaya in connection with Mahkar P.S. Case No. 246 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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