

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89316 of 2025**

Arising Out of PS. Case No.-307 Year-2025 Thana- MADHUBANI TOWN District-  
Madhubani

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Hukumdeo Yadav @ Hukumdev Yadav, S/o- Late Upendra Yadav, Resident of  
Village- Bhakharauli, Police Station-Madhubani Nagar, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Parijat Saurav, Advocate  
For the Opposite Party/s : Mrs. Nirmala Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      27-01-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in connection with Madhubani Nagar P.S. Case No.307 of 2025 registered for the offence punishable under Sections 115(2), 126(2), 117(2), 303(2), 74, 352, 109(1) and 3(5) of the B.N.S. and later on Sections 109(1) and 303(2) of B.N.S. were added.

3. The case of the prosecution, in short, is that the petitioner has ordered and on his order, Sanjay Yadav assaulted with iron rod and Anil Yadav with *farsa* on the head. It is further alleged that as the informant fell down, Mithilesh Yadav and Hukumdeo Yadav assaulted with *lathi*. Further allegation is that Hukumdeo Yadav pulled the *saree* of the informant's wife and



also took her golden locket.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that this is a dispute between the brothers. Two brothers are in one side and four brothers are in other side. From perusal of the F.I.R., it is clear that only allegation against the petitioner is that he has ordered and upon his order, co-accused persons have assaulted the informant. From perusal of the order of the learned trial Court, it is clear that the informant has received head injuries. This petitioner has not caused any head injury neither there is any allegation thereof. It has further been submitted that there is also a counter version of this case and in the counter case, one Sanjay Yadav has also received injuries. It is a free fight between the brothers in which both sides have received injuries. It has also been submitted that co-accused persons Sanjay Yadav, Mithilesh Yadav and Vikash Yadav have been granted anticipatory bail by learned Co-ordinate Bench vide order dated 15.01.2026 passed in Cr. Misc. No. 90258 of 2025. Petitioner is languishing in judicial custody since 24.10.2025.

5. Learned APP appearing for the State has



vehemently opposed the application for 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with Madhubani Nagar P.S. Case No. 307 of 2025.

(Ashok Kumar Pandey, J)

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