

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89324 of 2025

Arising Out of PS. Case No.-333 Year-2024 Thana- LAXMIPUR District- Jamui

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Dharmavir Kumar @ Dharamvir Yadav @ Dharamveer Yadav Son of Radhe
Yadav @ Radha Yadav Resident of Village- Kamalu Bela Tukur, P.S.-
Laxmipur, District- Jamui, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Naraian Singh, Sr. Advocate Mr. Amar Prakash, Advocate
For the Opposite Party/s	:	Mr. Dr. Mrityunjaya Kr. Gautam, APP
For the O.P. No.2	:	Mr. Subodh Kr. Jha, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 30-01-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2.

2. The present application has been filed for renewing
his prayer for bail in connection with Laxmipur P.S. Case No.
333 of 2024 for the offence under Sections 191(2), 126(2),
115(2), 118(1), 117(2), 118(2) and 109(1) of BNS, 2023.

3. The allegation in the F.I.R is that accused persons
came variously armed to the house of the informant causing
injuries to the husband of the informant and others. So far as
present petitioner is concerned, there was a direct allegation in
the F.I.R of assaulting the informant's husband with *tangi*
causing serious injuries to him.



4. Learned Senior counsel for the petitioner has submitted that the earlier prayer of the petitioner had been rejected vide order dated 22.08.2025 in Cr. Misc. No.55920 of 2025. He has further submitted that although there is a direct allegation of assault on the informant's husband on his head causing grievous injuries but it is also a fact that there is no repetition of blow at the hands of the present petitioner. The occurrence has taken place due to land dispute between the parties as they are the *gotiyas* and co-sharer of the plot in question. It has also been submitted that charges have been framed and trial has also commenced. The petitioner is in custody since 22.06.2025 and undertakes to co-operate in the case/trial.

5. Learned counsel for the opposite party no.2, however, strongly opposed grant of bail on the ground that trial has commenced and two witnesses have already been examined and as such, considering the specific allegation against the petitioner and also taking into consideration the stage of the case, the petitioner does not deserve to be granted the privilege of bail.

6. Having heard the rival contentions of the parties and having considered the entire facts of the case, it appears that



the present offence arises out of a dispute between *gotiyas* relating to land, which has resulted in the present incident. No doubt the petitioner has been attributed a direct and specific allegation of assault, nevertheless, considering the fact that charges have already been framed and witnesses are being examined and further taking into account the undertaking given by the petitioner that he shall not cause any delay and shall appear on each and every date fixed by the Court, the petitioner is directed to be enlarged on bail in connection with Laxmipur P.S. Case No. 333 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court on the following conditions:-

(1) The petitioner shall remain physically present in the learned trial Court on each date and shall cooperate in the trial. In case the petitioner is absent on any date without sufficient cause, the learned trial Court would be at liberty to cancel the bail bonds of the petitioner.

(2) It is directed that if the petitioner indulges in threatening the prosecution witnesses or tampering with the evidence, the prosecution would be at liberty to file cancellation



of bail and the learned trial Court would dispose of the same in accordance with law.

(3) The learned trial Court is directed to expedite the trial and conclude the same at the earliest preferably within a period of six months.

(Soni Shrivastava, J)

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