

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89520 of 2025

Arising Out of PS. Case No.-179 Year-2025 Thana- DAUDPUR District- Saran

1. Harihar Yadav @ Harihar Son of Late Raghunath Yadav Resident of Village - Daudpur, P.S.- Daudpur, District - Saran.
2. Vikash Kumar Yadav Son of Harihar Yadav Resident of Village - Daudpur, P.S.- Daudpur, District - Saran.
3. Vikek Kumar Yadav Son of Harihar Yadav Resident of Village - Daudpur, P.S.- Daudpur, District - Saran.
4. Koshali Devi @ Koshila Devi Wife of Harihar Yadav Resident of Village - Daudpur, P.S.- Daudpur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Dharmendra Kumar Sinha, learned counsel
for the petitioners and Mr. Ashok Kumar Singh, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Daudpur P.S. Case No. 179 of 2025, F.I.R. dated 13.07.2025 for the offences punishable under Sections 115(2), 126(2), 109(1), 352, 3(5) of the B.N.S., 2023.

3. According to prosecution case, petitioners and other co-accused persons are alleged to have entered into the house of the informant and assaulted the informant and her family



members. Petitioner no. 1 assaulted the informant by pushing her down in the ground whereas petitioner no. 2 assaulted the informant with knife due to which blood oozed out.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. It appears from the F.I.R. itself that due to some petty dispute (land dispute), the present occurrence has taken place. There is case and counter case between the parties and from the F.I.R. itself it appears that there was free-fight between the parties due to projection of “Chhaja” in the land of the petitioners. Learned counsel further submits that both sides receives injuries and the petitioners side some of the persons receives grievous injuries and the injuries received by the informant and her family members are found to be simple in nature caused by hard and blunt substance.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners are clean antecedent, there is case and counter case



and the injuries received by the informant is simple in nature, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Chapra in connection with Daudpur P.S. Case No. 179 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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