

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91877 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- BASOPATTI District- Madhubani

Chalitra Yadav Son of Shaukhi Lal Yadav @ Shaukhi Yadav Resident of
Village - Madhiya, P.S.- Basopatti, District - Madhubani, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 91265 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- BASOPATTI District- Madhubani

1. Umesh Kumar @ Umesh Yadav S/o-Late Indra Narayan Yadav
2. Jay Shankar Kumar @ Shankar Yadav S/o-Late Indra Narayan Yadav
3. Manas Kumar @ Manish Yadav S/o-Late Indra Narayan Yadav
4. Amod Kumar @ Amod Yadav S/o-Late Indra Narayan Yadav
5. Mithilesh Kumar @ Mithilesh Yadav S/o Chalitar Yadav
All are Resident of Village Madhiya, PS-Basopatti, District-Madhubani,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 91877 of 2025)

For the Petitioner/s : Ms. Shristi Singh, Advocate
M/s .Ratnesh Kumar, Advocate
Parul Prasad, Advocate
Aditya Anand, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

(In CRIMINAL MISCELLANEOUS No. 91265 of 2025)

For the Petitioner/s : Ms. Shristi Singh, Advocate
M/s .Ratnesh Kumar, Advocate
Parul Prasad, Advocate
Aditya Anand, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 02-04-2026 Heard learned counsel appearing on behalf of the



petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Basopatti P.S. Case No. 94 of 2025 registered for the offence(s) punishable under Sections 126(2),115(2),117(2),109,118(1),303(2),352,351(2),3(5), of the BNS.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioners assaulted the family members of the informant with an intention to kill, causing injuries to them.

4. Ms. Shristi Singh, learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Learned counsel further submitted that the petitioners and informant are own *Gotia* and there is case and counter case between the parties arising out of same incidence and due to admitted land dispute, an altercation took place in which, both the sides sustained injuries and petitioners in their self-defence, without any intention, might have caused some injuries to the informant's side. Learned counsel further submitted that own brother of one of the petitioners/Chalitra Yadav sustained injury in the said incidence and after four months of his treatment, he



died.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the fact that there is case and counter case between the parties arising out of same incidence and due to admitted land dispute, an altercation took place in which, both the sides sustained injuries and brother of one of the petitioners succumbed to his injuries after undergoing treatment for a period of four months and petitioners in their self-defence, without any intention, might have caused some injuries to the informant's side. I am of the opinion that petitioners, who are having clean antecedents, have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, VI, Madhubani / Concerned Court in connection with



Basopatti P.S. Case No. 94 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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