

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91202 of 2025

Arising Out of PS. Case No.-461 Year-2025 Thana- KHAIRA District- Jamui

1. Chhotan Kumar @ Chhotan Yadav S/O Mukund Yadav @ Mukun Yadav Resident of village- Lalpur, P.S.- Khaira, District- Jamui
2. Potan Yadav S/O Mukund Yadav @ Mukun Yadav Resident of village- Lalpur, P.S.- Khaira, District- Jamui
3. Golu Yadav @ Golu Kumar Yadav Son of Sahdev Yadav Resident of village- Lalpur, P.S.- Khaira, District- Jamui
4. Rajesh Kumar @ Rajesh Yadav S/o Late Jawahar Yadav Resident of village- Lalpur, P.S.- Khaira, District- Jamui
5. Damodar Yadav Son of Late Ramlal Yadav Resident of village- Lalpur, P.S.- Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rajive Ranjan Singh, Adv.
For the Opposite Party/s :	Mr. Mithlesh Kumar Khare, APP
For the Informant/s :	Mr. Akash Raj, Adv. Mr. Saurav Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-01-2026 Heard learned Advocate for the petitioners, learned Advocate for the State as well as learned Advocate for the informant.

2. The petitioners apprehend their arrest in connection with Khaira P.S. Case No.461 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 115(2), 126(2), 117(2), 118(1), 109, 329(3), 351(2) and 352 of the BNS, 2023.

3. In the morning of the fateful day, all the FIR named



accused persons, including the petitioners were indulged in ploughing the field of the informant through a tractor, and when the same was protested, the accused persons brutally assaulted the informant and his family members due to which five persons, including the informant sustained serious injuries.

4. Learned Advocate for the petitioners taking this Court through the FIR contended that the FIR has been instituted against sixteen named accused persons with specific accusation against few of them, who are not before this Court. The petitioners are said to be the member of the mob; however, with no specific accusation. The genesis of the occurrence is admittedly a longstanding land dispute. All the more, there is a Jamabandi case bearing no.36/2004 pending before the Court of learned A.D.M., Jamui filed by the petitioner no.5. He has also filed a complaint case bearing no.1211C/2025 filed against the informant and others. The petitioner no.4, though had been made accused in one another criminal case; however, in the said case, he has been acquitted and, as such, at present, all the petitioners bear fair antecedent, is the contention of the learned Advocate for the petitioners.

5. On the other hand, learned Advocate for the State and the learned Advocate for the informant vehemently opposed



the bail application and submitted that because of the active participation of the petitioners along with other accused persons, five persons have sustained serious injuries, out of which one has sustained grievous injuries and, as such, complicity of the petitioners cannot be denied.

6. Considering the fact that the specific accusation has been levelled against other co-accused persons; so far the petitioners are concerned, they are said to be the member of the mob and have fair antecedent, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, District-Jamui in connection with Khaira P.S. Case No.461 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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