

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65192 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- ARIYARI District- Sheikhpura

NITISH YADAV S/o Om Yadav @ Uma Yadav R/o village- Chandi, P.S.-
Ariyari (Kasar), District- Sheikhpura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-10-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Ariyari (Kesar) Police Station Case No. 96 of 2019, disclosing offences under Sections 341/323/307/504/506/34 of the Indian Penal Code.

The allegation against the petitioner is that the petitioner assaulted the informant on his head by means of iron-rod.

Learned Counsel for the petitioner submits that both the parties are co-villagers and the incident has taken place due to the fact that the tractor of the petitioner, loaded with garbage, ran over the irrigation pipe of the informant, due to which the said pipe got burst and damaged. He further submits that the



injury caused to the informant is not grievous in nature and appears to be superficial.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers and the dispute has taken place on a trivial issue, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Nitish Yadav, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sheikhpura, in connection with Ariyari (Kesar) Police Station Case No. 96 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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