

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49426 of 2023

Arising Out of PS. Case No.-141 Year-2021 Thana- BABUBARHI District- Madhubani

SHYAM SUNDAR YADAV Son of Late Baleshwar Yadav Resident of village
- Deora, P.S. - Babubarhi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Babubarhi PS Case No. 141 of 2021 dated 22-06-2021 registered under Section 341, 323, 324, 427, 504, 506 of the IPC and later on added Section 308 of the IPC on 21/08/2021.

3. As per the FIR, on 11-06-2021 the petitioner entered into the lady finger field of the informant for grazing of his cows and when the informant objected, the petitioner assaulted him by means of *farsa* on his head due to which he sustained injury.

4. Learned counsel for the petitioner submits that both the parties are co-villagers and the petitioner has been made accused due to village politics. He further submits that no serious injury has been caused to the informant and there is an



inordinate delay in lodging of the FIR inasmuch as occurrence had taken place on 11-06-2021 but the FIR has been lodged after delay of eleven days on 22-06-2021.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are co-villagers, prosecution has not brought on record injury caused to the informant and there is delay of eleven days in lodging of the FIR, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st, Madhubani in connection with Babubarhi PS Case No. 141 of 2021 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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