

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6751 of 2024

Arising Out of PS. Case No.-184 Year-2022 Thana- HAYAGHAT District- Darbhanga

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1. SHIV KUMAR YADAV @ SHIV KUMAR S/O BAIJ NATH YADAV
 2. SHIVA NATH YADAV @ SHIV NATH YADAV S/O UDGAR YADAV
 3. NITISH KUMAR @ NITISH KUMAR YADAV S/O BHAGWANDEV YADAV
 4. DEEPAK KUMAR @ DEEPAK KUMAR YADAV S/O GAJENDRA YADAV
- ALL ARE R/O VILLAGE- KOTHRRA, P.S- HAYAGHAT, DISTT.-
DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Baidyanath Prasad
For the State	:	Mr.Ram Naresh Ray
For the informant	:	Mr. Ram Babu Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-02-2024
1. Heard learned Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Hayaghat Police Station Case No. 184 of 2022, dated 27.11.2022, disclosing offences punishable under Sections 147/341/323/324/308/504/506 of the Indian Penal Code.
 3. The prosecution case, as per the First Information Report, is that on 26.11.2022, when the informant went to start his boring pump, he found that electricity supply was



disconnected. Upon enquiry, the informant came to know that the petitioner no. 1 has disconnected the electricity supply and when the informant went to the petitioners in order to lodge a complaint as well as before the Electric Supply Office, he was abused and the petitioner no. 1 assaulted the informant by means of tangi, causing head injury and other accused persons also assaulted him by lathi and danda.

4. Learned Counsel for the petitioners submits that both the parties are co-villagers and in the misconception of fact that the petitioner no. 1 has disconnected the electricity supply, the present occurrence has taken place. He further submits that the injury caused to the informant is simple in nature, as would be evident from the injury report, Annexure 3 to this application.
5. On the other hand, learned Counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no. 1 that he gave tangi blow to the informant, causing head injury as well as injury on his nose and his nose has been found to be fractured. He further submits that the allegation against the other accused persons are



general and omnibus in nature.

6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of dispute and the fact that both the parties are co-villagers and the occurrence has taken place on the trivial ground of disconnection of electricity supply, the injury caused to the informant is simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, 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 learned 8th Additional Chief Judicial Magistrate, Darbhanga, in connection with Hayaghat Police Station Case No. 184 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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