

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18472 of 2024

Arising Out of PS. Case No.-46 Year-2023 Thana- KUMAR KHAND District- Madhepura

1. PARMOD YADAV SON OF LATE SATYANARAYAN YADAV R/O-PARSAHI, WARD NO. 3, P.S. KUMARKHAND (BHATNI O.P.), DISTT.-MADHEPURA
2. NATHAN YADAV SON OF LATE SATYANARAYAN YADAV R/O-PARSAHI, WARD NO. 3, P.S. KUMARKHAND (BHATNI O.P.), DISTT.-MADHEPURA
3. PANKAJ KUMAR SON OF PARMOD YADAV R/O-PARSAHI, WARD NO. 3, P.S. KUMARKHAND (BHATNI O.P.), DISTT.-MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 31-07-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kumarkhand (Bhatni O.P.) Police Station Case No. 46 of 2023, dated 11.02.2023, disclosing offences under Sections 147/148/149/323/307/379/384/504/506/509 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioners, along with other accused persons, assaulted the informant and her family members by means of butt of pistol and other weapons.



4. Learned counsel for the petitioners submits that both the parties are co-villagers and occurrence took place due the fact that the buffalo belonging to the petitioners entered into the wheat field of the informant. He next submits that there is counter case also lodged by the petitioner no. 3, bearing Kumarkhand Police Station Case No. 45 of 2023, for the occurrence which took place on the same date and time i.e. on 09.02.2023 and the First Information Report lodged by the petitioners is prior in time. The injuries caused to the victims are simple in nature except one, which is grievous in nature, however, there is no specific allegation of assault against the petitioners.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, the occurrence took place on trivial issue, counter case has also been lodged by the side of the petitioners and injuries caused are simple in nature except one grievous injury, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four



weeks, 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 Additional Chief Judicial Magistrate-III, Madhepura, in connection with Kumarkhand (Bhatni O.P.) Police Station Case No. 46 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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