

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32584 of 2024

Arising Out of PS. Case No.-197 Year-2022 Thana- KAUWAKOL District- Nawada

Sonu Yadav @ Sonu Kumar Son of Ganesh Yadav Resident of Village-
Madhurapur, P.S.- Kauakol, District- Nawada

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manmohan Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kauakol P.S. Case No. 197 of 2022 registered for the offences punishable under Sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code.

3. As per prosecution case, petitioner is said to have assaulted upon the head of informant's father by means of axe as a result of which informant's father sustained injury on the head.

4. Learned counsel for the petitioner submits that there is case and counter case between both the parties



on the same date of occurrence, in this context, free fighting cannot be ignored. He further submits that in both the cases, the dispute has taken place on the issue of reaping crop of wheat. He further submits that in cases of land dispute facts are generally exaggerated to make the offence graver. He further submits that as per FIR, petitioner assaulted the informant's father by means of axe but he sustained simple injury caused by hard and blunt substance which is evident from Annexure-P/3 to the bail petition. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand)



with two sureties of the like amount each to the satisfaction
of learned Additional Chief Judicial Magistrate, 1st, Nawada
in connection with Kauakol P.S. Case No. 197 of 2022,
subject to the conditions as laid down under Section 438(2)
of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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