

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49380 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- BELCHHI District- Patna

1.

Bullak Yadav son of Rabindra Yadav Resident of Village- Ahrawan P.S. Belchhi, District- Patna
2.

Sonu Kumar son of Satish Yadav Resident of Village- Ahrawan P.S. Belchhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Premchandra Yadav
For the Opposite Party/s	:	Mr. Anish Chandra
For the informant	:	Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3

13-09-2024

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 Belchhi Police Station Case No. 62 of 2024, dated 04.04.2024, disclosing offences under Sections 323/324/325/307/379/147/149/504/506 of the Indian Penal Code.

3.

The prosecution case, as per the First Information Report, is that on 03.04.2024, the informant's son, namely, Niranjana Kumar, was going to his field from his house. On the way near the house of Balbir Yadav, the petitioners, along with other accused persons, assaulted him. The co-accused Tunna Yadav, having rifle in his



hand, assaulted the informant's son by rifle butt, due to which his teeth was broken. Lalan Yadav assaulted him by means of iron rod due to which he sustained injury on his head. The petitioner no. 1 assaulted informant's son by means of lathi and the petitioner no. 2 assaulted on his leg.

4. Learned counsel for the petitioners submits that both the parties are close door neighbours and there is previous land dispute between them. He next submits that for the occurrence which has taken place on the same date and time an First Information Report, bearing Belchhi Police Station Case No. 61 of 2024, was lodged by the side of the petitioners against the informant and others and thereafter present First Information Report has been lodged in retaliation. He further submits that specific allegation of assaulted by rifle butt is against the co-accused Tunna Yadav whose anticipatory bail was rejected by this Court in Cr. Misc. No. 49662 of 2024. The grievous injury caused to the victim on his teeth is not attributable to the petitioner.

5. On the other hand, learned counsel for the informant opposes the prayer for bail of the petitioners and submits that the petitioners and other co-accused persons assaulted the informant's son due to which he sustained



grievous injury on his teeth.

6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are neighbours, case and counter is there and injury caused by lathi to the victim is simple in nature , I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, Vinay Kumar Yadav @ Vinay Yadav @ Ram Vinay 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) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Barh at Patna, in connection with Belchhi Police Station Case No. 62 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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