

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53890 of 2024**

Arising Out of PS. Case No.-773 Year-2023 Thana- BAGHA District- West Champaran

Anmol Yadav Son of Raj Kumar Yadav R/O Vill.- Bankatwa, Ward no.21,  
P.s.- Bagaha, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ram Kishun Prasad, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

2      02-08-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Bagaha P.S. Case No. 773 of 2023 dated 20.11.2023 instituted for the offence punishable under Sections 147, 149, 341, 323, 324, 307, 337, 379, 504, 506 the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence, when the informant along with his family members was returning from *Chhath Ghat*, the petitioner along with other accused persons, armed with weapon, started abusing him on account of old enmity. On protest, the accused persons assaulted him and his family members. Allegation against the petitioner is that he assaulted on the head of the informant by means of spear.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that both the parties are co-villagers and there is admitted land dispute between the parties. Learned counsel for the petitioner submits that as per the F.I.R., there is specific allegation against the petitioner and one co-accused, namely, Krishna Yadav, that they assaulted on the head of the informant by means of spear, but it appears from the injury report that one lacerated wound on occipital region caused by hard and blunt substances was found, which falsify the allegation against the petitioner. Similarly situated co-accused, namely, Raj Kumar @ Raj Kumar Yadav has been granted anticipatory bail vide order dated 10.07.2024 passed by this Court in Criminal Miscellaneous No. 39707 of 2024. Lastly, it has been submitted that petitioner has three criminal cases against him.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bagaha P.S. Case No.



773 of 2023, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1<sup>st</sup> Bagaha, West Champaran, subject to condition as laid down under Section 438(2) of the Cr.P.C., as well as the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or



the witnesses, in that case, the prosecution will be  
at liberty to move for cancellation of bail.

**(Khatim Reza, J)**

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