

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61181 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- Banma Itahari District- Saharsa

Chandan Kumar @ Chandan Yadav, Son of Vinod Yadav R/o Village-
Khurashan, P.S.- Banma, Itahari, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the State : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-09-2024 Heard Mr. Pramod Mishra, learned counsel for the

petitioner and Mr. Narendra Kumar Singh, learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Banma-Itahari P.S. Case No. 19 of 2024 dated 27.04.2024
registered for the offences punishable under Sections 341, 323,
324, 325, 307 and 504/34 of the Indian Penal Code.

3. Learned counsel appearing for the petitioner
submits that as per the prosecution story, the informant was
going by his tractor and when the road through which he was
passing, was found as being blocked by wrong parking of a
motorcycle, then he asked the accused persons including the
petitioner to remove the motorcycle from the parked place,
thereafter, the alleged occurrence took place, so, the genesis of



the occurrence was parking dispute with regard to a motorcycle which shows that the occurrence was not pre-planned. It is further submitted that as per allegation, the petitioner and co-accused Vivek Yadav assaulted the informant's son Shivnandan Yadav due to which he sustained fracture injury to his wrist and one of his fingers but the particular weapon which was used by this petitioner and co-accused has not been revealed and in this regard, the allegation is completely vague and further, there is case and counter case in between both the parties and from petitioner's side also, some persons sustained injuries. It is further submitted that altogether ten persons including the petitioner have been named in the FIR and the petitioner has got no criminal antecedent and both the parties are co-villagers and the instant matter relates to a free fight.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Having considered the submissions and mainly taking into account the petitioner's fair and clean antecedent and the nature of allegation appearing against him, this Court is inclined to accept his anticipatory bail prayer. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below 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 the Court concerned in connection with Banma-Itahari P.S. Case No. 19 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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