

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67853 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- SIRARI District- Sheikhpura

Ritesh Kumar @ Fekan Yadav Son of Sadhusaran Yadav Resident of Village -
Paigambarpur, Police Station - Sirari, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-10-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sirari Police Station Case No. 12 of 2024, dated 24.04.2024, disclosing offences under Sections 341/323/324/325/307/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 23.04.2024, in the afternoon, when the informant was constructing toilet, in the meanwhile the petitioner, along with other accused persons, assaulted the informant and his other family members. The petitioner has assaulted the informant's son, namely, Vicky Kumar, by means of sword due to which he sustained injury on



his left hand.

4. Learned Counsel for the petitioner submits that both the parties are closely related and the petitioner is own nephew of the informant and there is land dispute between the parties. He next submits that counter-case has been lodged by the side of the petitioner, bearing Sirari Police Station Case No. 13 of 2024, for the incidence which took place on the same date and time. The injuries caused to the victim is near his finger, which is non-vital part of the body, which has been described as grievous in nature caused by hard and blunt substance, however, the allegation in the First Information Report that the petitioner assaulted the victim, Vicky Kumar, by means of sword which is sharp cutting weapon.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are closely related, there appears to be land dispute between them, case and counter-case is also there and injuries caused to the victim is on non-vital part of the body, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.



7. Let the petitioner, above named, 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 Chief Judicial Magistrate, Sheikhpura, in connection with Sirari Police Station Case No. 12 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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