

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72137 of 2023

Arising Out of PS. Case No.-68 Year-2022 Thana- GARHI District- Jamui

Banshi Yadav Son Of Lakshman Yadav Resident Of Village - Ketari Bauk,
P.S. - Garhi, District - Jamui

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Niranjan Parihar
For the Opposite Party/s :	Mr.Jai Narain Thakur
	Mr.Pankaj Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 16-04-2024 1. Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 504 and 34 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that the petitioner and the informant are own cousin brother and they are having dispute relating to land and on account on which, an altercation took place leading to the occurrence wherein it is alleged that this petitioner assaulted the informant by *Tangi* causing injury on head.
4. It is further submitted that no doubt, the injury



suffered by the opposite party no.2 is grievous in nature, but then, even the wife of the petitioner was assaulted by the instant opposite party no.2 by *Tangi* causing injury on head. It is next submitted that even the injury suffered by the wife of the petitioner is also grievous in nature. It is further submitted that from the side of the petitioner Garhi P. S. Case No.69 of 2022 was instituted against the opposite party no.2 and his side whereas from the side of the opposite party no.2, the instant F.I.R. i.e. Garhi P. S. Case No. 68 of 2022 was registered. It is next submitted that opposite party no.2 had approached this Court seeking anticipatory bail in connection with Garhi P. S. Case No. 69 of 2022 by filing Cr. Misc. No.28544 of 2023 which was allowed by a learned Coordinate Bench by an order dated 07.07.2023. It is thus submitted that injury suffered from both the side is grievous in nature and is on vital part of the body and since opposite party no.2 has been granted the privilege anticipatory bail by a learned Coordinate Bench, as such, seeking parity the petitioner also seeks anticipatory bail.

5. Learned A.P.P. along with the learned counsel appearing on behalf of the opposite party no.2 opposes the anticipatory bail application, but then, the learned counsel appearing on behalf of the opposite party no.2 is not in a



position to rebut the submission of the learned counsel for the petitioner that wife of the petitioner also suffered grievous injury on account of assault led by the instant opposite party no.2, who has been granted the privilege of anticipatory bail by a learned Coordinate Bench as recorded herein above.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Ashish Anand, the learned Judicial Magistrate, 1st Class, Jamui in connection with Garhi P. S. Case No.68 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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