

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78383 of 2023

Arising Out of PS. Case No.-99 Year-2022 Thana- TELHARA District- Nalanda

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YOGENDRA PRASAD SON OF YOGESHWAR PRASAD RESIDENTS
OF VILLAGE -BELDARI BIGHA POLICE STATION- TELHARA
DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-01-2024 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 Telhara Police Station Case No. 99 of 2022, dated 01.07.2022, disclosing offences punishable under Sections 147/149/341/323/307/379/504/506 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioner has allegedly assaulted one Surendra Kumar, the cousin brother of the informant, by means of brick on his head and nose, due to which he sustained injury.
4. Learned Counsel for the petitioner submits that both the



parties are close door neighbours and there is dispute regarding drainage between them. He further submits that there is case and counter case between the parties inasmuch as from the side of the petitioner, Telhara Police Station Case No. 100 of 2022 has been lodged against the informant and others. Referring to the injury report, learned Counsel submits that there is no injury on the head of the injured, the injury has been caused on the nose of the injured and the doctor, as per the C.T. Scan report, has opined that the injury is grievous in nature. He further submits that nose is not the vital part of the body.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are close door neighbours, there is case and counter case between them and nose is not a 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 a period of four weeks from today, be released on bail on furnishing



bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Telhara Police Station Case No. 99 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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