

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77247 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- BAGENGOLA District- Buxar

1. Bijay Yadav @ Bijay Kumar Yadav S/O Sarwan Yadav @ Haricharan Yadav R/O Village- Khochariyawan, P.S- Bagengola, Distt.- Buxar.
2. Sanjay Yadav @ Sanjay Kumar Yadav S/O Sarwan Yadav @ Haricharan Yadav R/O Village- Khochariyawan, P.S- Bagengola, Distt.- Buxar.
3. Vikash Yadav @ Vikash Kumar S/O Dinesh Yadav R/O Village- Khochariyawan, P.S- Bagengola, Distt.- Buxar.
4. Deepak Yadav @ Deepak Kumar S/O Dinanath Yadav R/O Village- Khochariyawan, P.S- Bagengola, Distt.- Buxar.
5. Binod Yadav @ Binod Singh S/O Harihar Yadav @ Harihar Singh R/O Village- Khochariyawan, P.S- Bagengola, Distt.- Buxar.
6. Dinesh Yadav @ Divesh Yadav S/O Rajendra Yadav R/O Village- Khochariyawan, P.S- Bagengola, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar Pathak
For the Opposite Party/s	:	Mr. Arun Kumar Pandey (App)
For the Respondent	:	Mr. Ramakant Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-11-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bagengola Police Station Case No. 66 of 2024, disclosing offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 303(2), 352, 351(2) of the BNS.
3. As per the FIR, on 29.07.2024, while the informant was irrigating his land, petitioners along with other accused persons total ten in numbers, arrived there having lathi, danda, rama (sharp cutting weapon) and pistol etc. and started abusing



the informant. Upon objection being made by the informant, petitioner no. 2 namely Sanjay Yadav along with co-accused Ajay Yadav ordered to kill the informant upon which Vikas Yadav (petitioner no. 3) assaulted with rama on the head of the informant and thereafter, Deepak Yadav (petitioner no. 4) and co-accused Dhananjay Yadav assaulted with pistol butt and also pressed the neck of the informant by their legs.

4. Learned Counsel for the petitioners submits that both the parties are co-villagers and the occurrence has taken place owing to the dispute regarding irrigation of the field/agricultural land. The agricultural land of the petitioner is situated beside the land of the informant. Learned counsel further submits that allegation against petitioner nos. 1, 2, 5 and 6 are general and omnibus in nature whereas allegation against petitioner nos. 3 and 4 is that they assaulted by means of rama and pistol butt but the injuries caused to the informant are simple in nature as would be evident from the impugned order.

5. On the other hand, learned counsel for the informant opposes the prayer for bail and submits that there is specific allegation against petitioner nos. 3 and 4 that they assaulted the informant by means of rama and pistol butt and the informant has sustained injury caused by sharp cutting weapon.



He further submits that the rama is having sharp edge on the front portion.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, the occurrence has taken place due to dispute regarding irrigation of the agricultural land and the injuries caused to the informant are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, 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-V, Buxar, in connection with Bagengola Police Station Case No. 66 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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