

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73877 of 2023

Arising Out of PS. Case No.-184 Year-2023 Thana- BIRAUL District- Darbhanga

PAWAN KUMAR @ PAWAN YADAV Son of Lakshmi Narayan Yadav
Resident of village - Nunukala Jagarnathpur, Police Station - Biraul, District -
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-03-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Biraul P.S. Case No. 184 of 2023 dated 05.05.2023 registered
under Sections 341, 323, 307, 354(A), 354(B), 427, 504, 506
and 34 of the I.P.C.

3. As per the First Information Report the accused persons,
total ten in number including the petitioner, assaulted the
informant and his family members by means of iron rod.

4. Learned counsel for the petitioner submits that both the
parties are co-sharers and there is land dispute between them. A
counter case has also been lodged by the father of petitioner
bearing Biraul P.S. Case No. 185 of 2023 in which both sides
have sustained injury and from the side of the petitioner two



persons have sustained injury including the petitioner. The injury caused to the victims from the side of the informant are simple in nature except one injury on the hand which has been said to be grievous in nature.

5. On the other hand, learned counsel for the informant and State vehemently opposed the prayer for anticipatory bail and submits that allegation against the petitioner is that he assaulted the informant and his nephew by iron rod due to which the informant has sustained grievous injury.

6. Learned counsel for the State referring to the case diary submits that the left hand of the informant has been found broken and doctor has opined the injuries as grievous in nature.

7. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are co-sharer, there is land dispute between them, title suit bearing T.S. No. 62 of 2022 is pending between the parties, injuries caused to informant and others are simple in nature except one injury on the hand which is non vital part of the body, as such, I am inclined to grant anticipatory bail to the petitioner.

8. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on



furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate, Biraul, Darbhanga in connection with Biraul P.S. Case No. 184 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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