

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78066 of 2024

Arising Out of PS. Case No.-173 Year-2024 Thana- MANSI District- Khagaria

1. Budul Yadav @ Budil Kumar @ Budul Kumar Son of Bholi Yadav Resident of Village - Saidpur, P.S. - Mansi, District - Khagaria
2. Gautam Yadav @ Gautam Kumar Son of Bholi Yadav Resident of Village - Saidpur, P.S. - Mansi, District - Khagaria
3. Sumit Yadav @ Amit Kumar Son of Bholi Yadav Resident of Village - Saidpur, P.S. - Mansi, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-11-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Mansi PS case no. 173 of 2024, disclosing offences punishable under Section 126(2) and other allied sections of the B.N.S. Act.
3. The prosecution story, as per the First Information Report, is that on 04.07.2024 in the morning, while the informant was sitting at her door, all the accused persons including the petitioners arrived there, started abusing and assaulting her. Petitioner no. 1 gave iron rod blow upon the head



of brother-in-law of the informant, petitioner no. 2 assaulted the husband of the informant, due to which, his hand was fractured and petitioner no. 3 opened fire in the air.

4. Learned Counsel for the petitioners submits that both parties are close door neighbours and the occurrence has taken place due to parking of the tractor-trailer in front of the house of the petitioners. Learned counsel further submits that the petitioners went to object about parking of the tractor-trailer at the house of the informant, where the petitioners were brutally assaulted by the informant and others, for which, Mansi PS Case No. 174 of 2024 has been lodged by mother of the petitioners. He next submits that the petitioner no. 2 has sustained grievous injury on his head and his hand was also broken, as would be evident from the photographs of injuries of petitioner no. 2, annexed at Annexure-P/3 series, however no serious injury has been caused to the side of the informant.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both parties are neighbours, case and counter case is existing between them and petitioner no. 2 has also sustained injuries, I am inclined to grant the privilege of anticipatory bail to the petitioners.



6. This application is, accordingly, allowed.
7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six 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, Khagaria in connection with Mansi PS case no. 173 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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