

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81709 of 2024

Arising Out of PS. Case No.-96 Year-2024 Thana- KUSHESHWARASTHAN District-
Darbhanga

-
1. Indal Yadav S/O Maheshwar Yadav R/O Village- Baltharwa, P.S- Kusheshwar Sthan, Dist- Darbhanga (Bihar).
 2. Kamo Yadav @ Kameshwar Yadav S/O Maheshwar Yadav R/O Village- Baltharwa, P.S- Kusheshwar Sthan, Dist- Darbhanga (Bihar).
 3. Rajnish Kumar @ Rajnish Yadav S/O Kamo Yadav @ Kameshwar Yadav R/O Village- Baltharwa, P.S- Kusheshwar Sthan, Dist- Darbhanga (Bihar).
 4. Maheshwar Yadav S/O Late Munni Yadav R/O Village- Baltharwa, P.S- Kusheshwar Sthan, Dist- Darbhanga (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha
For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-12-2024 1. At the very outset, learned counsel for the petitioners submits that during pendency of this application the petitioner no. -2 / Kamo Yadav @ Kameshwar Yadav has been arrested. Accordingly, he seeks permission to withdraw this application with respect to the petitioner no. 2.
2. Permission is accorded.
3. The application stands dismissed as withdrawn with respect to the petitioner no. 2.
4. Heard the parties.
5. The remaining petitioners apprehend arrest in connection



with Kusheshwar Asthan P.S. Case No. 96 of 2024 registered under Sections 341, 342, 323, 324, 307, 385, 379, 504, 506, 34 of the I.P.C.

6. As per the first information report on 24.04.2024 while the informant was returning from the field, he was intercepted by the petitioners along with other accused persons and the petitioner no. 1 assaulted the informant by means of “Khukhri” due to which he sustained injury on his head and hand. When the informant made “hulla”, the villagers came there and saved him.

7. Learned counsel for the petitioners submits that both the parties are neighbours having previous dispute. There is delay in lodging the F.I.R. inasmuch as the occurrence has taken place on 24.04.2024 but the F.I.R. has been lodged on 01.05.2024 on the written report of the informant. Referring to the injuries as mentioned in the impugned order caused to the informant, learned counsel submits the same does not appear to be serious in nature. There is no specific allegation against the petitioner nos. 3 & 4 and they are not having any criminal antecedent.

8. Regard being had to the submission made by the parties, taking into consideration the delay in lodging of the F.I.R. and the fact that both the parties are co-villagers, as such, I am



inclined to grant anticipatory bail to the petitioner nos. 1, 3 & 4.

9. Let the petitioner nos. 1, 3 & 4, 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) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate-1st, Benipur, District – Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 96 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

