

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80586 of 2024

Arising Out of PS. Case No.-1007 Year-2023 Thana- Mufassil District- Khagaria

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1. Pawan Yadav S/o- Bhaday Yadav Village- Mathar Ps- Muffasil Dist- Khagaria
 2. Dharam Yadav S/o- Bhadai Yadav Village- Mathar Ps- Muffasil Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Sinha

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-12-2024 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 Khagaria Muffasil Police Station Case No. 1007 of 2023, dated 29.09.2023, disclosing offences under Sections 341/323/504/506/379/307/427/34 of the Indian Penal Code.
3. As per the allegation made in the First Information Report on 28.09.2023, the petitioner no. 1 assaulted the informant by means of iron-rod and petitioner no. 2 fired upon nephew of the informant, namely, Abhinav Kumar, with an intention to kill him.



4. Learned counsel for the petitioners submits that the petitioners have been made accused in the present case due to dispute regarding grazing of field by buffalo of the petitioners. He next submits that the petitioners have allegedly assaulted through iron-rod on the head of the informant, but injury caused to the informant is simple in nature, as would be evident from Annexure-2. He further submits that injury caused to nephew of the informant Abhinav Kumar is simple in nature not caused by fire-arm. He also submits that the firing made by the petitioner no. 2 did not hit anybody.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that both the parties are co-villagers, the occurrence has taken place due to grazing of field by buffalo of the petitioners and injuries caused to the informant and his nephew are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. 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) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge I, Khagaria, in connection with Khagaria Muffasil Police Station Case No. 1007 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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