

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81799 of 2024**

Arising Out of PS. Case No.-15 Year-2024 Thana- GOBARDHANA District- West  
Champaran

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1. Anil Yadav Son of Hira Yadav Resident of Village- Gudgudi, P.S-  
Gobardhana, District- West Champaran
  2. Bikram Yadav Son of Hira Yadav Resident of Village- Gudgudi, P.S-  
Gobardhana, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Milind Kumar Mishra, Advocate  
For the Opposite Party/s : Mr.Yogendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      16-12-2024      1.                      Heard learned Counsel for the petitioners and  
learned APP for the State.
2.                      This application, for grant of anticipatory bail,  
arises out of Gobardhana PS case no. 15 of 2024, disclosing  
offences punishable under Sections 307, 354(B) and other allied  
sections of the Indian Penal Code.
3.                      The prosecution story, as per the First Information  
Report, is that on 03.06.2024 in the morning, while the  
informant was going on his motorcycle, petitioners along with  
other accused persons assaulted him. It is alleged that petitioner  
no. 1 assaulted with lathi on the hand of one Sunny Yadav and  
petitioner no. 2 assaulted the informant by means of farsa on his



head.

4. Learned Counsel for the petitioners submits that both parties are agnates having land dispute between them. There is case and counter case between the parties and the side of the petitioners have lodged counter case bearing Gobardhana PS Case No. 14 of 2024 against the informant and others. Learned counsel further submits that injury caused to Sunny Yadav, which is attributable to petitioner no. 1, though grievous in nature but is not on the vital part of the body. The wrist of Sunny Yadav has been found fractured by the doctor. Insofar as injuries caused to the informant by petitioner no. 2 is concerned, learned counsel submits that as per the injury report, the opinion has been reserved.

5. On the other hand, learned counsel or the State submits that the injury caused to Sunny Yadav has been found grievous and the injury caused to informant is also grievous in nature and as per the impugned order, it is on the vital part of the body as fracture in the right posterior parietal bone.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that there is case and counter case between the parties and injury



caused to Sunny Yadav, which is attributable to petitioner no. 1, in on the non-vital part of the body, I am inclined to grant the privilege of anticipatory bail to the petitioner no. 1. However injury caused to the informant, which is attributable to petitioner no. 2, is grievous in nature and on the vital part of the body, I am not inclined to grant anticipatory bail to petitioner no. 2 and accordingly, his prayer for anticipatory bail stands rejected.

6. This application is, partly, allowed.

7. Let petitioner no. 1, abovenamed, in the event of his arrest or surrender before the Court below within six 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-3rd, Bagaha, West Champaran in connection with Gobardhana PS case no. 15 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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