

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.284 of 2024

Arising Out of PS. Case No.-465 Year-2023 Thana- MADHEPURA District- Madhepura

1. Ranvir Kumar Yadav @ Ranvir Kumar, Son of Nageshwar Yadav, R/o vill - Piprahi, Ward No. 06, P.S. - Madhepura (Ghailarh), Distt. - Madhepura
2. Nageshwar Yadav, Son of Late Ram Prasad Yadav, R/o vill - Piprahi, Ward No. 06, P.S. - Madhepura (Ghailarh), Distt. - Madhepura

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. At the outset, it is submitted by learned counsel for the petitioner that application for grant of bail of petitioner no.2, namely, Nageshwar Yadav was dismissed as withdrawn vide order dated 13.02.2024 by co-ordinate Bench of this Court, as he has already arrested by the police.

3. Now, the prayer for grant of anticipatory is limited only to petitioner no.1, namely, Ranvir Kumar Yadav @ Ranvir Kumar.

4. The accused/petitioner no.1 is named in the FIR



and apprehending his arrest in connection with Madhepura (Ghailarh) P.S. Case No.465 of 2023 registered under Sections 341, 342, 323, 324, 325, 307, 379, 504 and 506 read with 34 of the Indian Penal Code.

5. Allegation against the petitioner is to assault the informant and others along with co-accused persons by means of *farsa*, iron rod, etc, causing head and bodily injuries, having intention to cause their death, where occurrence arises out of neighbourhood dispute and differences.

6. It is submitted by learned counsel that petitioner has been falsely implicated with present case out of neighbourhood dispute and differences. It is submitted that both parties have received serious injuries during the course of occurrence, where nature of occurrence *prima facie* suggest free fight, negating intention to cause death. It is further submitted that injury caused was simple and single in nature, without having any intervening circumstances, which further suggest that petitioner was not under intention to cause death, which is a prime consideration to attract an



offence under Section 307 of the Indian Penal Code. While concluding argument, it is submitted that the petitioner is a man of clean antecedent.

7. Learned APP opposes the prayer of bail.

8. In view of aforesaid factual submissions and by taking note of fact as occurrence *prima facie* appears free fight in nature, where injuries as alleged to be caused by petitioner is simple and single in nature, without having any intervening circumstances, accordingly, petitioner No.1, namely, Ranvir Kumar Yadav @ Ranvir Kumar is directed to be released on bail, in the event of his arrest or surrender in the court within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Ghailarh) P.S. Case No.465 fo 2023, subject to the conditions as laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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

