

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83903 of 2024

Arising Out of PS. Case No.-225 Year-2024 Thana- UCHKAGAON District- Gopalganj

Vikash Kumar @ Vikash Kumar Yadav @ Vikash Yadav Son of Ravindra
Yadav Resident of Village- Manbodh Parsauni, PS -Uchjagaon, Distt.-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh
For the Informant : Mr. Deepankar Raj
For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-12-2024 1. Heard learned counsel for the petitioner, learned counsel
for the informant and learned Additional Public
Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Uchkagaon Police Station Case No. 225 of 2024, dated
19.07.2024, disclosing offences under Sections
126/115(2)/118/109/303(2)/352/351(2)/3(5) of the
Bharatiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report,
is that on 16.07.2024, in the morning, when the informant
returned from his field, he saw that the petitioner, along
with other accused persons, arrived at his door with lathi,
danda, sword, farsa, etc. and started abusing him. When



the elder brother of the informant Dashrath Yadav intervened, the petitioner, along with co-accused Ravindra Yadav, assaulted him with sword and farsa due to which he sustained injury on his head and abdomen.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to land dispute between the parties and both the parties are neighbours. He next submits that counter-case has also been lodged by the side of the petitioner against the informant and others, bearing Uchkagaon Police Station Case No. 226 of 2024. Referring to the injury report annexed at Annexure-3, learned counsel submits that injuries caused to the victim Dashrath Yadav are simple in nature.

5. On the other hand, learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that due to dispute regarding land, the petitioner and others arrived at the door of the informant and assaulted him with lethal weapons. He next submits that from perusal of the injury report, it would be evident that the victim Dashrath Yadav has sustained sharp cut injury near his abdomen wall and incised wound on right hand,



as such, the privilege of anticipatory bail may not be granted to the petitioner.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are neighbours, there is land dispute between them, case and counter-case is also there and injuries caused to the victim are simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his 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 Chief Judicial Magistrate IX, Gopalganj, in connection with Uchkagaon Police Station Case No. 225 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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