

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86864 of 2024

Arising Out of PS. Case No.-174 Year-2024 Thana- MANSI District- Khagaria

Varun Yadav @ Varun Kumar S/O Prakash Yadav R/O Vill.- Saidpur, P.S.-
Mansi, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mansi P.S. Case No. 174 of 2024 registered for the
offences punishable under Sections 191(2), 191(3), 126(2),
115(2), 109, 117(2), 351(2) & 352 of the Bharatiya Nyaya
Sanhita, 2023.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of abusing and
assaulting the informant's husband, her son and her daughter-in-
law by means of iron rods, sticks etc. due to which they
sustained grievous injuries on their persons and were taken to
hospital for treatment.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Both the parties are Gotia to each other and there is an admitted land dispute between the parties. It is alleged that petitioner has assaulted upon the head of Gautam Yadav by means of iron rod. There is case and counter case between the parties. The petitioner has one criminal antecedent. Charge-sheet has been submitted in this case. It is lastly submitted that other co-accused has been granted regular bail by this Court *vide* order dated 20-11-2024, passed in Cr. Misc. 80561 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner does not deserve the privilege of grant of anticipatory bail as there is allegation of assault against him.

6. Considering the rival submissions made by the learned counsel for the parties, taking into account the nature of accusation against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for grant of anticipatory bail to the petitioner is accordingly *rejected*.

7. However, if the petitioner surrenders before the



court below within a period of four weeks from today and prays
for regular bail, the same would be considered by the court
below in accordance with law without being prejudiced by the
order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

