

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.182 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- WARISNAGAR District- Samastipur

1. NITISH YADAV @ NITISH KUMAR SON OF VISHWNATH YADAV
R/O VILLAGE- DARSUR, P.S.- WARISNAGAR, DIST.- SAMASTIPUR
2. BAIDYANATH YADAV SON OF RAMCHANDRA YADAV R/O
VILLAGE- DARSUR, P.S.- WARISNAGAR, DIST.- SAMASTIPUR
3. CHANDESHWAR YADAV SON OF LATE RAM PUKAR YADAV R/O
VILLAGE- DARSUR, P.S.- WARISNAGAR, DIST.- SAMASTIPUR
4. NARESH YADAV @ NARESH KUMAR SON OF BAIDHNATH YADAV
R/O VILLAGE- DARSUR, P.S.- WARISNAGAR, DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Mishra
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-01-2024 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 Warisnagar Police Station Case No. 261 of 2023, dated
01.08.2023, disclosing offence under Sections
143/341/323/324/447/354/307/504/506 of the Indian
Penal Code.
3. The prosecution case, as per the First Information Report,
is that on 30.07.2023, the accused persons, named in the
First Information Report, arrived at the door of the



informant, armed with weapons, and abused him and upon protest being made by the wife of the informant, the accused persons abused her. The petitioner nos. 2 and 3 disrobed the wife of the informant, all the accused persons assaulted the pregnant daughter of the informant and the petitioner no. 1 assaulted the informant by means of sword, causing injury on his head.

4. Learned Counsel for the petitioners submits that both the parties are neighbours and the dispute between them arose due to unloading of soil from the tractor in front of the house of the petitioners. He further submits that there is case and counter case between the parties inasmuch as Warisnagar Police Station Case No. 265 of 2023 has been lodged by the petitioner no. 2 against the informant and his family members. He further submits that no injury report has been brought on record by the prosecution. He next submits that the parties have compromised the cases and they do not want to proceed with the case and a joint compromise petition has been filed before the Judicial Magistrate, 1st Class, Samastipur. The second anticipatory bail application on behalf of the petitioners, was filed after the parties entered into compromise on



13.009.2023, which is a subsequent event.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that both the parties are neighbours, there is case and counter case between them, injury report has not been brought on record by the prosecution and the parties have entered into compromise, 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 from today, 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 Judicial Magistrate, 1st Class, Samastipur, in connection with Warisnagar Police Station Case No. 261 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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