

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7417 of 2025

Arising Out of PS. Case No.-392 Year-2024 Thana- SAUR BAZAR District- Saharsa

1. Yogendra Yadav @ Yogi Yadav S/O Late Panchi Yadav Resident of village- Sahuyara Purvi, ward no.- 14, P.S- Saur Bazar, District - Saharsa Bihar
2. Anmol Yadav S/O Yogendra @ Yogi Yadav Resident of village- Sahuyara Purvi, ward no.- 14, P.S- Saur Bazar, District - Saharsa Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 8343 of 2025

Arising Out of PS. Case No.-392 Year-2024 Thana- SAUR BAZAR District- Saharsa

Amrendra Yadav S/o Yogendra Yadav @ Yogi Yadav@Bhogi Yadav R/o vill - Sahuyara Purvi, ward no. 14, P.S.- Saur Bazar, Distt.- Saharsa, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 7417 of 2025)

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

(In CRIMINAL MISCELLANEOUS No. 8343 of 2025)

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-03-2025 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 Saur Bazar Police Station Case No. 392 of 2024, dated 27.06.2024, disclosing offences under Sections



341/323/324/325/307/379/385/386/387/504/506/34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that on 26.06.2024, when the informant's father, namely, Gajendra Yadav, was going for some important work, all of a sudden, the petitioners, along with other accused persons, armed with weapons, surrounded and abused him and told him to register the land of his share on their behalf and also demanded a sum of Rs. Two Lakhs as extortion. The petitioner no. 1 gave the orders, upon which co-accused Pramod Yadav and Amrendra Yadav (petitioner in Cr. Misc. No. 8343) assaulted the informant with rod. When the uncle of the informant, namely, Jitan Yadav, came on the alarm, the petitioner no. 2, along with co-accused Abhishek Kumar and Saheb Kumar, assaulted him by means of rod on his head and they also snatched a sum of Rs. 2,500/- from the pocket of the informant's father.
4. Learned counsel for the petitioners submits that the petitioners are agnates and co-villagers of the informant and have falsely been implicated in this case due to land dispute between the parties. He next submits that injury



report of the victims i.e. informant's father and uncle, annexed at P-3 and P-3/1, shows that except injury no. 1 of the informant's uncle, others injury, sustained by the victims, are simple in nature. Injury no. 1 has been opined as grievous, whereas, upon perusal of the injury no. 1, pain and swelling in the right forearm has been reported which cannot be said to be grievous in nature. He further submits that counter-case has also been lodged by the side of the petitioners, bearing Saur Bazar Police Station Case No. 394 of 2024, dated 29.06.2024, against the informant and others.

5. On the other hand, learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that specific allegation against the petitioner no. 1 is that he ordered, upon which, other accused persons i.e. petitioner no. 1 and Amrendra Yadav (petitioner in Cr. Misc. No. 8343 of 2025) assaulted the uncle and father of the informant. He next submits that informant's uncle has sustained grievous injury, as would be evident from the injury no. 1 referred in the injury report.
6. I have heard learned counsel for the parties and have gone through the materials available on records.



7. It appears that there is case and counter-case between the parties, both the parties are agnates having land dispute and injury caused to the informant's father and uncle are simple in nature, except injury no. 1 of the informant's uncle, which is said to be pain and swelling on the right forearm, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.
8. This application is, accordingly, allowed.
9. 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 II, Saharsa, in connection with Saur Bazar Police Station Case No. 392 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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