

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14362 of 2025

Arising Out of PS. Case No.-102 Year-2024 Thana- HARPUR District- Munger

Sudhir Yadav S/o- Dinesh Yadav R/o- Durmatta PS- Harpur Distt- Munger
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 28-03-2025 Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Harpur P.S. Case no. 102 of 2024 registered for the offence punishable under sections 126(2), 115(2), 118, 117(2), 329(4), 109, 303(2), 74, 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that while she was at home the ten named accused persons including the petitioner herein came variously armed with *lathi*, *danda*, axe, brick, rod, stone etc. They started to abuse and assault the informant and others. The petitioner with rod, Uday Yadav with *lathi* as also Nitish Kumar and Manish Yadav armed with different weapons assaulted the informant and others leading to injuries.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in an FIR lodged over a trivial dispute between the parties relating to outlet of dirty water. There is case and counter case between the parties and the injury reports brought on record by way of Annexure-3 series does not support the allegation of assault by so many persons armed with so many deadly weapons. It is further submitted that so far as the petitioner is concerned, while he is alleged to have assaulted the uncle- in- law of the informant, as would be evident from the contents of the order of the learned trial Court, the injury on him has been found to be simple in nature. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., there being case and counter case between the parties and the injury attributable to this petitioner having been found to be simple in nature together with petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below



within a period of four weeks, be released on anticipatory bail in connection with Harpur P.S. Case no. 102 of 2024 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 Judicial Magistrate 1st Class, Munger.

(Partha Sarthy, J)

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