

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12009 of 2025

Arising Out of PS. Case No.-320 Year-2024 Thana- BHARGAMA District- Araria

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Jitendra Yadav Son of Tarachand Yadav Resident of Village- Golha,
Manulahpatty, P.S.- Bhargama, District- Araria

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Bijendra Kumar Singh, Advocate Mr. Kumar Rajdeep, Advocate
For the State	:	Mr. Rampriya Sharn Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 07-05-2025 Heard Mr. N.K. Agrawal, learned senior counsel,

assisted by Mr. Bijendra Kumar Singh, learned Advocate, for
the petitioner and Mr. Ram Priya Sharan Singh, learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 191 (2), 191 (3),
190, 126 (2), 115 (2), 118 (1), 109, 303 (2), 352 and 351 (2) of
the Bharatiya Nyaya Sanhita, 2023.

3. The allegation in the first information report is that five
accused persons including the petitioner came variously armed
and surrounded the grandson of the informant and thereafter
chased him to his house. The further allegation is that the
informant's wife and daughter-in-law were indiscriminately



assaulted by all the accused persons. There is further allegation on petitioner that he made assault by means of *Dabia* on the head of the wife of the informant.

4. It is submitted by learned senior counsel for the petitioner that it would be apparent from the first information report itself that there is general and omnibus allegation of indiscriminate assault on the wife and daughter-in-law of the informant. However, the injury report of the informant's wife, Gita Devi would go to show that against the allegation of indiscriminate assault, there is only one lacerated wound present on the right side of the frontal region, which is simple in nature caused by hard and blunt substance. It is further submitted that there is a case and counter case between the parties. The petitioner has already lodged a case, bearing Raniganj P.S. Case No.473 of 2024, against the informant and others for assaulting and snatching money, which is Annexure-P/2 to this application. As a matter of fact, the petitioner and the informant are uncle and nephew and there is dispute within the family with regard to land and in this connection petitioner has already lodged a case, bearing Bhargama P.S. Case No.209 of 2021, against the informant and others, which is Annexure-P/3 to this application.



5. Learned APP for the State opposed the prayer for bail on the ground of allegations made in the F.I.R.

6. Having regard to the facts and circumstances of the case, as well as the fact that the petitioner and the informant are uncle and nephew and there is *inter se* land dispute as also the fact that the injury is simple in nature, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 Court below where the case is pending/successor Court in connection with Bhargama P.S. Case No. 320 of 2024, subject to the condition as laid down under 482 (2) Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

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