

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22957 of 2025

Arising Out of PS. Case No.-169 Year-2024 Thana- MURLIGANJ District- Madhepura

1. Sunil Yadav @ Sunil Kumar Son of Late Upendra Yadav village- Rajnigoth Ward no. 10, Ps- Murliganj, Dist- Madhepura
2. Anil Yadav @ Anil Kumar son of Late Upendra Yadav village- Rajnigoth Ward no. 10, Ps- Murliganj, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Murliganj P.S. Case No. 169 of 2024 registered on 22.04.2024 for the offences punishable under Sections 341, 323,307, 379, 354, 504, 506/34 of the Indian Penal Code and sections 3/4 of the Prevention Of Witch Practices Act, 1999.

3. As per the prosecution, the F.I.R. has been lodged against four named accused persons, including the petitioners. It is specifically alleged against petitioner no.1, Sunil Yadav, that he assaulted the husband of the informant with a *dabiya*, whereas petitioner no.2, Anil Yadav, is alleged to have assaulted



the informant's husband on the head with an iron rod indiscriminately, causing a head injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The antecedents of the petitioners are clean. From the injury report, it transpires that the doctor has opined the injury to be a lacerated wound, which falsifies the allegations levelled in the F.I.R. The petitioners and the informant are residents of the same village and are agnates. For the same date and place of occurrence, two criminal cases have been lodged: Murliganj P.S. Case No. 181 of 2024 by the petitioners' side, and the present case, Murliganj P.S. Case No. 169 of 2024, by the informant.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that although it is true that there is a case and counter-case between the parties, it is also true that a lacerated wound has been found on the head of the informant's husband. A *dabiya* is a sharp-cutting weapon, whereas an iron rod is capable of causing lacerated wounds.

6. Considering the nature of the allegation levelled in the F.I.R. and the nature of the injury sustained by the informant's husband, let petitioner no.1, Sunil Yadav, be released on bail, in the event of his arrest or surrender before the



Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Madhepura, in connection with Murliganj P.S. Case No. 169 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, considering the nature of the allegation levelled in the F.I.R., corroborated by the injury report, this Court is not inclined to grant bail to petitioner no.2, Anil Yadav. Accordingly, his prayer for bail is hereby rejected.

(Dr. Anshuman, J)

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