

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19432 of 2025

Arising Out of PS. Case No.-543 Year-2024 Thana- LAKHISARAI District- Lakhisarai

Mantu Yadav S/O Suraj Yadav Resident of Dharmraichak, Ward No. 6, P.S-
Lakhisarai, Distt.- Lakhisarai, Bihar- 811311.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Lakhisarai P.S. Case No. 543 of 2024 lodged on 19.09.2024, for the offence punishable under Sections 126(2), 115(2), 109(1), 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as "BNS, 2023").

3. As per the prosecution, FIR has been lodged against the present petitioner. It has been alleged in the FIR that the petitioner in state of intoxication, abused and assaulted the informant and her son and thereafter, attacked the informant on



her head with iron rod due to which she sustained injury.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that for the same date and place of occurrence, there is case and counter case i.e. one case has been lodged from the petitioner's side bearing Lakhisarai P.S. Case No. 544 of 2024 and the present case has been lodged from the informant's side bearing Lakhisarai P.S. Case No. 543 of 2024. Counsel submits that both petitioner and informant are adjacent neighbour and due to petty matter, scuffling took place between the parties. Counsel submits that there is basically civil dispute going on between the parties and with an intent to harass the petitioner, the present case has been lodged. Counsel further submits that the criminal antecedent of the petitioner is not clean as there is one case pending against him in which he is on bail. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that for the same date and place of occurrence, there is case and counter case and injury has been caused to both the sides.

6. As such, in the present facts and circumstances of



this case, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today as well as on being satisfied by the Trial Court that the petitioner is not absconding in Lakhisarai P.S. Case No.304/2024, and on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai P.S. Case No. 543 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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