

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22303 of 2025

Arising Out of PS. Case No.-294 Year-2024 Thana- MUFFASIL District- Aurangabad

1. Rajendra Yadav S/O Somar Yadav R/O Village- Akauna, P.S- Aurangabad Muffasil, Distt.- Aurangabad (Bihar).
2. Baban Yadav @ Baban Kumar S/O Sahdev Yadav R/O Village- Akauna, P.S- Aurangabad Muffasil, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari
Mr.Aman Vishal
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 01-05-2025
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 Aurangabad Mufassil Police Station Case No. 294 of 2024, dated 19.08.2024, disclosing offences punishable under Sections 126(2)/115(2)/352/303(2)/351(2)/109/3(5) of the Bhartiya Nyaya Sanhita, 2023.
 3. The prosecution case, as per the First Information Report, is that on 18.08.2024 in the morning, the petitioners, along with other co-accused persons, carrying fire arms, garasa etc. came at the house of the informant where the father of the informant was standing. It has been alleged



that the petitioner no. 1 assaulted the informant.

4. Learned Counsel for the petitioners submits that both the parties are neighbour and there is dispute regarding drainage between them. A counter case has been lodged by the side of the petitioners, bearing Aurangabad Mufassil Police Station Case No. 295 of 2024, dated 19.08.2024. The accused persons, in the counter case lodged by the side of the petitioners, have been granted bail by this Court in Criminal Misc. No. 79807 of 2024. Co-accused Devendra Kumar Yadav and Samresh Kumar Yadav approached this Court for grant of anticipatory bail in Criminal Misc. No. 13556 of 2025 and co-accused Devendra Prasad Yadav was granted anticipatory bail by this Court vide order, dated 20.03.2025. The injury caused to the informant has not been brought on record by the prosecution and there is no specific allegation against the petitioner no. 2. Both sides have sustained grievous injury.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that injury caused to the informant has not been brought on record by the prosecution and there is no specific



allegation against the petitioner no. 2, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Mufassil Police Station Case No. 294 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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