

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23936 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- DHANAHA District- West Champaran

1. Motilal Yadav @ Motilal S/O Shyam Sundar Yadav R/O Village- Nuniyapatti Marichahwa, P.S- Dhanha, Distt.- West Champaran.
2. Anubhav Yadav @ Anubhav S/O Mitilal Yadav R/O Village- Nuniyapatti Marichahwa, P.S- Dhanha, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-05-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Dhanha P.S. Case No. 16 of 2025 lodged on 17.01.2025, for the offence punishable under Sections 126(2), 115(2), 118(1), 303(2), 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 11 named accused persons including the present petitioners. It has been alleged in the FIR that the present petitioners have assaulted the informant due to which injury has been caused and accused persons also snatched golden chain and cash of



Rs,10,000/- from the informant's side.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that both the parties are agnates and on petty matter, scuffling took place from both the sides and both the sides were injured. 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 petitioners' side bearing Dhanha P.S. Case No. 15 of 2025 and the present case has been lodged from the informant's side bearing Dhanha P.S. Case No. 16 of 2025. Counsel submits that injury report has been annexed from which it transpires that except one injury, all are simple in nature. Counsel further submits that petitioners have no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is case and counter case in this matter and petitioners have no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as



mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Chief Judicial Magistrate 1st Class, Bagaha, West Champaran, in connection with Dhanha P.S. Case No. 16 of 2025, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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