

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27570 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- DHANAHA District- West Champaran

1. Arjun Yadav son of Mohar Yadav village- Nuniyapatti (Marichahawa), Ps- Dhanaha, Dist- West Champaran
2. Ramprit Yadav Son of Mohar Yadav village- Nuniyapatti (Marichahawa), Ps- Dhanaha, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shahbaj Alam, Adv.

For the Opposite Party/s : Mr. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 15-05-2025 Heard Mr. Shahbaj Alam, learned counsel for the
petitioners and the State.

2. The petitioners apprehend their arrest in connection with Dhanaha P.S. Case No. 15 of 2025 for the offence registered under sections 126(2), 115(2), 118(1), 109(1), 352, 351(2), 303(2), 3(5) of BNS, 2023 lodged on 17.01.2025 by the informant, Manju Devi.

3. As per the prosecution story, the informant alleged that while she was cleaning bricks in her land, it was objected by the accused persons who were armed variously. The allegation is that:

(i) Ramprit Yadav assaulted the informant on her head, as she caught hold of the farsa, injury was also in the finger;

(ii) Ramprit Yadav also assaulted



Rambha Devi by farsa causing head injury;

(iii) Arjun Yadav assaulted Munna Yadav by 'Bakua' on his head as also right hand;

(iv) Sunil Yadav assaulted Anubhav Yadav by lathi;

(v) omnibus allegation is against Bhim Yadav, Vinay Yadav, Pappu Yadav, Ramchandra Yadav and others of assaulting the informant's husband;

There is also allegation of taking away the Mangalsutra of the informant. This led to the FIR.

4. Learned Counsel for the petitioners submit that allegation of assault by Arjun Yadav and Ramprit Yadav is/are on Munna Yadav and Anju Devi/Rambha Devi respectively. He has taken this Court to the injury reports attached with the petition to show that all three has sustained simple injuries. The submission is that there is case and counter case, both sides have suffered, to show their bonafide, without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioners on its own would like to contribute towards the medical assistance of Rs. 5,000/- each to the three injured (totaling Rs. 15,000/-) through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials,



though he concede that petitioner no. 2, Ramprit Yadav has criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though there is case and counter case, the allegation is of using *farsa* /Bakua on both the petitioners.

6. Allegation is there, though the petitioners have assaulted the ladies as also Munna Yadav, there is a counter version also, admittedly, it relates to land dispute, the injuries have been found to be simple in nature, in that background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 5,000/- each to the three injured (totaling Rs. 15,000/-) as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Chief Judicial Magistrate, Bagaha, West Champaran in connection with Dhanaha P.S. Case No. 15 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

