

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35711 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- BHAGWANGANJ District- Patna

1. Masur Yadav @ Anil Yadav @ Anil Kumar S/O Late Ramishwar Yadav Resident of Village- Nadauna, PS- Bhagwanganj, Distt-Patna
2. Sunil Yadav @ Sunil Kumar S/O late Ramishwar Yadav Resident of Village- Nadauna, PS- Bhagwanganj, Distt-Patna
3. Bittu Kumar S/O Sunil Yadav Resident of Village- Nadauna, PS- Bhagwanganj, Distt-Patna
4. Premchand Kumar @ Premchan Kumar S/O Tipan Yadav Resident of Village- Nadauna, PS- Bhagwanganj, Distt-Patna
5. Nitish Kumar S/O Tipan Yadav Resident of Village- Nadauna, PS- Bhagwanganj, Distt-Patna
6. Vicky Kumar S/O Tipan Yadav Resident of Village- Nadauna, PS- Bhagwanganj, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 03-09-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Bhagwanganj P.S. Case No. 47 / 2025 dated 14.03.2025 registered under Sections 126(2), 115(2), 109(1), 352, 351(3), 3(5) of the B.N.S. 2023.

3. As per the first information report on 14.03.2025 at about 5:00 P.M. the son of the informant aged about eighteen years had a quarrel with the co-villager / Masur Yadav on the point of putting colour during Holi festival and when the informant



intervened in the matter the petitioners and other accused persons assaulted the informant with lathi and rod due to which she sustained injury. When the son of the informant came to save her, Sunil Yadav and Masur Yadav i.e. petitioner nos. 2 & 1 respectively assaulted the son of the informant on his head. When another son of the informant Raushan Kumar and Manish Kumar came for rescue all the accused persons assaulted them.

4. Learned counsel for the petitioners submits that both the parties are co-villagers and neighbours and the occurrence has taken place on the point putting colour during Holi. A counter case has also been lodged by the side of the petitioners bearing Bhagwanganj P.S. Case No. 48 / 2025. Both the sides have sustained injury. The victims were referred for CT Scan but they did not turn up for the CT Scan before the concerned Scan Centre.

5. On the other hand, learned counsel for the State argued that the injury of Manish Kumar is simple in nature and opinion is reserved regarding injury of Nand Kishore, Roshan Kumar and Bhagmani Devi.

6. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact that both the parties are co-villagers, case and counter case is there



and the occurrence has taken place on trivial issue of putting colour during Holi festival, accordingly, I am inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. Masaurhi in connection with Bhagwanganj P.S. Case No. 47 / 2025 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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