

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45379 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- MAHINDWARA District- Sitamarhi

Umesh Baitha S/O Late Rijhan Baitha Resident of Village- Balan Tola,
Hussainpur, P.S.- Mahindwara, Dist- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2025 Heard Mr. Ashok Kumar Jha, learned counsel for
the petitioners and Mr. Shyam Kumar Singh, learned APP for
the State.

2. The present application, for grant of anticipatory
bail, arises out of Mahindwara Police Station Case No. 52 of
2025 registered on 25.03.2025 for the offences under Sections
126(2), 115(2), 109, 303(2), 352, 3(5) of the BNS.

3. As per the First Information Report, on 25.03.2025
at about 11.00 AM, when the informant went to see his mango
orchard, he saw that the petitioner has wrapped electric wire in
his mango tree for irrigating his field, due to which, the mango
tree got dried/dead. When the informant protested to it, the
petitioner gave a blow with sharp edged weapon on his
forehead leading to cut injury and bleeding.

4. Learned counsel for the petitioner submits that



both the parties are co-villagers and there is dispute regarding irrigation of land. The allegation against the petitioner is that he assaulted the informant by means of sharp edged weapon whereas from perusal of the injury report as mentioned in paragraph-9 of the order impugned, it would be evident that the injuries were found to be simple in nature caused by hard and rough object. A counter case has also been lodged by the side of the petitioner bearing SC/ST PS Case No. 15 of 2025 against the informant and others.

5. Learned APP vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Regard being had to the submissions made by the parties and taking into consideration the fact that both the parties are co-villagers, there is dispute regarding irrigation of land, case and counter case between the parties are also there and the injury sustained by the informant is found to be simple in nature, I am inclined to grant the petitioner the privilege of anticipatory bail.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 Dr. Abhinav Kumar, learned Judicial Magistrate-
1st Class, Sitamarhi/the court concerned in connection with the
aforesaid Police Station Case subject to the condition as laid
down under Section 438 (2) of the Code of Criminal
Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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