

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47266 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- SINDHUGAR District- Gaya

Manoj Yadav @ Manoj Kumar S/o Late Dwarika Yadav @ Dwarik Prasad
Yadav Resident of Village- Kewal, P.S.- Sindhugarh, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Sindugarh P.S. Case No. 43 of 2025, dated 02.05.2025, lodged under Section 191(2), 190, 126(2), 115(2), 74, 303(2), 109, 351(2) & (3), 352 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of Additional Chief Judicial Magistrate-II, Sherghati, Gaya.

3. As per the prosecution, FIR has been lodged against six named accused persons, including the present petitioner, alleging that all the accused persons abused and assaulted the informant. It has been further alleged that the wife of the petitioner snatched a gold chain and locket from the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that, from the contents of the FIR, it becomes crystal clear that the dispute relates to *bataidari* of a Mahua tree between co-sharers of the same family. He further submits that none of the parties are criminals, and for the said date and place of occurrence, there is a case and a counter-case between the parties, with injuries sustained by both sides. Furthermore, it is submitted that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is a direct allegation against the present petitioner of assaulting the informant with an iron rod. He further submits that the injury may be simple in nature but the allegation is specific.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory



bail of the petitioner has been rejected by this Court and the
Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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