

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56404 of 2024

Arising Out of PS. Case No.-103 Year-2024 Thana- PIRO District- Bhojpur

Bakshi Yadav S/o Kuber Yadav R/o vill - Kachnath, P.S. - Piro, Distt. -
Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 10-01-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Piro P.S. Case No. 103 of 2024 dated 13.03.2024 registered under Sections 341, 379, 324, 504, 506 & 34 of the I.P.C.

3. The prosecution case as per the First Information Report is that in the afternoon of 08.03.2024 while the informant was in his field, the petitioner along with other co-accused persons intercepted him near Kachnath Badhar and assaulted him and they snatched Rs. 1700/- from his pocket and a golden locket worth Rs. 21000/- from his neck. It has further been alleged that the co-accused / Lakkar Yadav assaulted the informant on his mouth, nose and eyes and the petitioner dragged him towards the bushes with intention to kill.

4. Learned counsel for the petitioner submits that there is



dispute between the parties regarding irrigation of the field and a counter case has also been lodged by the side of the petitioner against the informant and others bearing Piro P.S. Case No. 104 of 2024. The specific allegation of assault upon the informant on his mouth, nose and eyes is upon the co-accused / Lakkar Yadav. From perusal of the impugned order it appears that the informant has sustained injuries in his nasal bone, upper lips, swelling near temporal region which has been said to be grievous in nature but the same is not attributable to the petitioner in view of the specific allegation of assault against the co-accused / Lakkar Yadav. He submits that the occurrence has taken place on 08.03.2024 but the F.I.R. has been lodged after an unexplained delay of 05 days on 13.03.2024. He further submits that similarly situated co-accused / Gudari Yadav @ Rama Kant Singh (Cr. Misc. No. 67602 of 2024), Pradum Kumar, Krishna Kumar and Saroj Kumar @ Saroj Yadav @ Lakkad Yadav (Cr. Misc. No. 78882 of 2024) have been granted anticipatory bail by this Court.

5. Regard being had to the submission made by the parties, taking into consideration the fact that there appears to be land dispute between the parties, a counter case has also been lodged by the side of the petitioner for the incident which took place on



the same date and time, the allegation against the petitioner is general and omnibus in nature and similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-4, Bhojpur at Ara in connection with Piro P.S. Case No. 103 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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