

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55293 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- BHITAHA District- West Champaran

Kedar Yadav S/O Late Narsingh Yadav @ Late Narshig Yadav R/O Vill.-
Dihipkdi Tad Tola, Malahi Tola, Machhaha, P.S.- Bhitaha, Dist.- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta

For the Opposite Party/s : Mr.Tapeshwar Sharma

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Bhitaha P.S. Case No. 38 of 2025 registered for the
offence punishable under Sections-191(1), 190, 329(3), 352,
126(2), 115(2), 118(1), 109(1) and 303(2) of B.N.S.

3. Allegedly, in the garb of petty feud of land dispute,
the altercation took place and in consequence thereof, the
accused persons having armed with farsa, iron rod, Lathi-danda
arrived at the door of the informant and started abusing him and
thereafter, the accused persons assaulted the son of the
informant, as a result of which, he sustained injuries. When the
informant came to rescue his son, he was also assaulted.



4. Learned counsel for the petitioner has submitted that the informant and the petitioner are own brothers. There is land dispute between the parties and perusal of the FIR itself shows that the petitioner had fixed *Nad, Khunta* on the land, allotted to the share of the informant. The specific allegation against the petitioner is that he assaulted the informant with Lathi, which hit his ear. Learned counsel for the petitioner has also submitted that the injuries are simple in nature.

5. Learned counsel appearing for the State has opposed the prayer for bail.

5. Considering the aforesaid facts and circumstances, let the petitioner named above, in the event of arrest/surrender within four weeks before the court below 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 learned Additional Chief Judicial Magistrate-Ist, Bagaha, West Champaran in connection with Bhitaha P.S. Case No. 38 of 2025 subject to the conditions as laid down u/S 438(2) of the Cr.P.C.

(Nawneet Kumar Pandey, J)

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