

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57848 of 2025

Arising Out of PS. Case No.-216 Year-2025 Thana- BAISI District- Purnia

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1. Shiva Nand Yadav Son of Late Atwari Yadav. R/o Village-Guwalgaon, P.S-Baisi , District-Purnea.
 2. Bhola Yadav Son of Late Tepai Yadav R/o Village-Guwalgaon, P.S-Baisi , District-Purnea.
 3. Manoj Yadav @ Manoj Kumar Yadav Son of Basu Yadav R/o Village-Guwalgaon, P.S-Baisi , District-Purnea.
 4. Dasrath Yadav @ Dasrath Kumar Son of Darogi Yadav R/o Village-Guwalgaon, P.S-Baisi , District-Purnea.
 5. Lalo Yadav @ Lalo Kumar Yadav Son of Sarab Lal Yadav R/o Village-Guwalgaon, P.S-Baisi , District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Jha

For the Opposite Party/s : Mr. Ram Sumiran Rai

Mr. Bal Krishna Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-09-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The learned counsel for the petitioners, after some argument, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.3, namely, Manoj Yadav @ Manoj Kumar Yadav.
3. Permission is accorded.
4. Accordingly, instant petition is dismissed as



withdrawn with respect to petitioner no.3, namely, Manoj Yadav @ Manoj Kumar Yadav.

5. The rest petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 127(1), 115(2), 109, 76, 352, 351, 3(5) of the B.N.S.

6. The learned counsel for the petitioners submits that the petitioner nos.1, 4 and 5 are persons with clean antecedent and petitioner no.2 has antecedent of one case and the informant alleges that accused persons were constructing house on the purchased land of the informant, on objection, they abused, but police came and matter was pacified. As soon as the police left, on orders of Bhola accused Manoj assaulted Bhelu by sword causing injury on head. Thereafter, Prakash assaulted Puppy Devi by dabia causing injury on head, while Shivanand assaulted Dilip on shoulder thereafter Laxman unveiled Punam Devi.

7. The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the occurrence is alleged to have taken place. It is submitted that informant is claiming the land as his purchased land while petitioners are claiming the land as theirs. It is next submitted



that no doubt, petitioner no.1 is alleged to have assaulted Dilip causing injury on shoulder which has been opined to be grievous, but then, from perusal of the allegation as alleged in the FIR, it would manifest that the FIR does not disclose that by what petitioner no.1 assaulted Dilip causing injury on shoulder. It is further submitted that even presuming the injury to be grievous, but then, the same on non-vital part of the body. It is next submitted that Prakash is not a petitioner in the instant anticipatory bail application and as far as petitioners nos.2, 4 and 5 are concerned, the allegation against them is general and omnibus in nature.

8. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioner nos.1, 2, 4 and 5, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with



Baisi P. S. Case No.216 of 2025, subject to the conditions laid
down under Section 438(2) of the Cr.P.C.

10. The application stands allowed.

(Satyavrat Verma, J)

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