

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60576 of 2025

Arising Out of PS. Case No.-421 Year-2024 Thana- SONO District- Jamui

Shiv Narayan Yadav S/O Parmeshwar Yadav R/O Vill.- Baijadih, P.S.- Sona,
Dist.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Sono P.S. Case No. 421 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 110, 352, 351(2), 3(5) of BNS, 2023.

3. As per prosecution case, petitioner is said to have assaulted the informant upon his head by means of rod as a result of which informant sustained head injury.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that there is land dispute between the parties and petitioner and informant are co-villagers. He further submits



that in cases of land dispute, facts are generally exaggerated to make the offence graver. He further submits that there is case and counter case between the parties on the same date of occurrence and in such type of cases, free fighting cannot be ignored. He further submits that all sections are bailable in nature except Section 110 of BNS. Learned counsel submits that the informant sustained injury which is caused by rod, as alleged in the FIR and the nature of the said injury is simple, as mentioned in paragraph 11 of the instant petition. He further submits that there is no allegation of repetition of blow against the petitioner. In the light of the aforesaid facts and circumstances, no offence is made out against the petitioner under Section 110 of BNS. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that petitioner is said to have assaulted the informant upon his head by means of rod. Hence, he does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, there is no allegation of repetition of blow against the petitioner, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into



consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui in connection with Sono P.S. Case No. 421 of 2024, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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