

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58102 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- BATHWARIA District- West Champaran

1. Pandit Yadav S/O Late Kailash Yadav R/O Village- Garibshahi, Police Station- Bathwariya, District- west Champaran.
2. Bhutti Yadav @ Harindar Yadav @ Harindra Yadav S/O Late Kailash Yadav R/O Village- Garibshahi, Police Station- Bathwariya, District- west Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bashishtha Narayan Mishra, Advocate Mr. Brij Kishor Mishra, Advocate Mr. Avinash Raj, Advocate
For the Opposite Party/s	:	Mr. Pushpa Sinha, APP
For the Informant	:	Mr. Deovind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-08-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Bathwariya P.S. Case no.2 of 2025, registered under sections 126(2), 115(2), 118(1), 117(2), 117(4), 109, 103, 190, 191(2) and 191(3) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that 12 named accused persons including the two petitioners herein came variously armed and started to plough the agricultural land of the informant. On the informant and others



resisting, it is stated that Bharat Yadav, Tuntun Yadav, Ranjeet Yadav, Anil Yadav, Birjhan Yadav, Shivnand Kumar and Angrej Kumar are specifically said to have assaulted the informant and the members of his family causing serious injuries. The injured were taken to the G.M.C.H, Bettiah for treatment from where some of them were referred to Patna. It is further stated that the husband of the informant died on way to Patna.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case over a land dispute between the parties. So far as the two petitioners herein are concerned, no specific overt-act has been alleged against them. They undertake to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel appearing for the informant. Learned counsel appearing for the informant submits that from the contents of the FIR, it would transpire that the occurrence has taken place on the informant's land which was being forcibly ploughed by the accused persons including the two petitioners herein who actively participated in the occurrence. A number of persons were injured and they have supported the prosecution case also against these petitioners in their statement made before police. Further, process under



section 82 Cr.P.C. has been issued against them.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners in the F.I.R and especially there being no specific overt-act alleged against them, in the facts of the case, it is directed that both the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bathwariya P.S. Case no.2 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Bagaha, District-West Champaran.

(Partha Sarthy, J)

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