

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62395 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- KUMAR KHAND District- Madhepura

Manish Kumar @ Manish Yadav S/o Nirmal Yadav R/o Village- Grhiya Ward
No. 01, P.S.- Kumarkhand, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Adv

For the Opposite Party/s : Mr. Ahmad Ali, APP

For the informant : Mr. Rajendra Prasad Yadav, Adv

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 12-09-2025 1. Heard learned counsel for the petitioner as well as learned APP for the State and learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in connection with Kumarkhand P.S. Case no.324/2024 registered under Sections 126(2). 115(2), 109, 74, 303(2), 352, 351(2), 3(5) of B.N.S.

3. The allegation in the first information report is that on a dispute with regard to the goats of the petitioner Manish Yadav having eaten the vegetables, a dispute had arisen between the petitioner side and the informant and her family members. It has been alleged that while Manish Yadav pushed the informant on the ground, the other accused persons assaulted upon other persons.

4. Learned counsel for the petitioner submits that



from a bare reading of the first information report, it would be evident that the occurrence had taken place on account of a petty dispute and hence no intention to cause death or any serious injury can be imputed in the present case. It has further been submitted that injuries were suffered by the persons on both the sides but on account of a compromise, the petitioner side did not file an FIR. However, the informant after due thought and deliberation after nine days of the occurrence chose to file the present FIR, inasmuch as, the date of the occurrence was 23.10.2024, whereas the first information report came to be instituted on 2.11.2024. It has further been submitted that the allegation against the petitioner is merely of pushing the informant, namely, Lalita Devi on ground and with some ornamental allegation of taking some cash and the injury suffered by the informant Lalita Devi is simple in nature. The injury caused to the husband of the informant, however, is not attributable to the present petitioner. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel appearing on behalf of the informant on the ground that, the husband of the informant Umesh Yadav had received serious injuries and same



has also been opined by the doctor to be grievous in nature.

6. Taking into consideration the facts and circumstances of the case and also considering that the injury suffered by the husband of the informant is not attributable to the petitioner and further considering the allegation against the petitioner of having caused simple injury to the informant coupled with the inordinate delay in filing of the first information report, let the above named petitioner who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kumarkhand P.S. Case no. 324/2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M 3rd, Madhepura, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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