

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60535 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- KUMAR KHAND District- Madhepura

Pramod Yadav S/o Shivnandan Yadav R/o Village- Israin Kala, (Israikala),
Ward no 07, PS- Kumarkhand, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Rashmi

For the Opposite Party/s : Mr. Lalan Kumar

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 Kumarkhand P.S. Case No. 31/2025 registered for the offences punishable under Sections 126(2), 115(2), 109, 303(2), 308(2), 352, 351(2), 3(5) of the B.N.S.

3. As per prosecution case, there is allegation against the petitioner who is said to have assaulted the informant's son by means of *iron rod* as a result of which he sustained head injury.

4. Learned counsel for the petitioner submits that petitioner is innocent and have committed no offence as alleged in the FIR. Petitioner bears no criminal antecedent. He further submits there is case and counter case between the parties on the



same date of occurrence. There was allegation of assault against both sides in which both side became injured for which case and counter were instituted. The wife of co-accused Binod Yadav who is full brother of the petitioner has also lodged an FIR as Kumarkhand P.S. Case No. 32/2025. He further submits that though there is specific allegation of assault against the petitioner upon the head of the informant's son but the injury of the informant's son is simple in nature which is evident from Annexures-P/2 of the bail application and there is no allegation of repetition of blow upon the head of the informant's son against the petitioner. He further submits that the petitioner belongs to neighbouring village of the informant and due to land dispute the alleged occurrence took place between the parties and in the cases of land dispute facts are generally exaggerated to make the offence graver. In the light of aforesaid facts and circumstances of the case, no offence is made out against the petitioner under the aforesaid sections.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that there is specific allegation of assault against the petitioner and the same is corroborated by the injury report.

6. Considering the facts and circumstances of the



case, 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 the learned A.C.J.M.-III, Madhepura in connection with Kumarkhand P.S. Case No. 31/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.

7. Accordingly, the application stands allowed.

(Alok Kumar Pandey, J)

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