

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62622 of 2025

Arising Out of PS. Case No.-109 Year-2025 Thana- BIHARIGANJ District- Madhepura

1. Kailash Yadav son of Laxmi Yadav Resident Of Village -Madhukar Chak P S- Bihariganj District- Madhepura
2. Vivek Yadav son of Laxmi Yadav Resident Of Village -Madhukar Chak P S- Bihariganj District- Madhepura
3. Rubi Devi Daughter of Laxmi Yadav Resident Of Village -Madhukar Chak P S- Bihariganj District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Adv Mrs. Pooja Prasad, Advocate Mr. Manoj Kumar, Adv
For the Opposite Party/s :		Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-09-2025 1. Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners apprehends their arrest in connection with Bihariganj P.S. Case no. 109/2025 registered under Sections 115 (2), 118 (1), 117 (1), 109 (1), 303 (2), 352, 351(2), 3 (5) of B.N.S.

3. The allegation in the first information report is that the accused persons, including the present petitioners came variously armed and assaulted the informant and other family members.

4. Learned counsel for the petitioners submits that it



would be evident from the first information report that there is a specific allegation upon Ashish Yadav of assaulting the informant on his head by means of an iron rod and upon Nitish Yadav of assaulting his father, Birbal Yadav, by means of an iron rod on his head. So far as these petitioners are concerned, there are general and omnibus allegations of assault along with other co-accused persons. It has further been submitted that while the injuries of informant and his father have been found to be simple in nature, the injuries of Nirmal Yadav have been found to be grievous, but the same is a cut wound on a portion of the right eye caused by a hard and blunt object. However, the same does get corroborated from the first information report, which talks about assault on the head. It has further been submitted that, on account of land dispute between the parties, a civil suit bearing no. 85/2018 is already pending between the parties, and there is a case and counter-case with regard to the same incident. The petitioners undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the fact of the occurrence arising out of land dispute and also an account of general and



omnibus allegations of assault causing mostly simple injuries, let the above named petitioners who have no criminal antecedent, 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 Bihariganj P.S. Case no. 109/2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Uda Kishunganj, Madhepur, 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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