

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63901 of 2025

Arising Out of PS. Case No.-373 Year-2025 Thana- MADHEPURA District- Madhepura

1. Sachindar Yadav @ Sachindra Yadav @ Sachendra Kumar S/o Late Nunulal Prasad Yadav @ Late Nunulal Prasad Yadav R/o Village - Gadhiya, P.S - Madhepura, District - Madhepura
2. Bipin Kumar @ Bipin Yadav S/o Bijendra Yadav R/o Village - Gadhiya, Police Station- Madhepura, District- Madhepura
3. Rani Devi W/o Diwakar Kumar R/o Village - Gadhiya, Police Station- Madhepura, District- Madhepura
4. Ramnath Yadav S/o Late Mohan Yadav R/o Village - Gadhiya, Police Station- Madhepura, District- Madhepura
5. Bhaskar Kumar S/o Sachindar Yadav @ Sachindra Yadav @ Sachendra Kumar R/o Village - Gadhiya, Police Station- Madhepura, District- Madhepura
6. Ankush Kumar @ Ankus Kumar S/o Ramnath Yadav R/o Village - Gadhiya, Police Station- Madhepura, District- Madhepura
7. Dinkar Kumar S/o Ravindra Yadav @ Ravindar Yadav R/o Village - Gadhiya, Police Station- Madhepura, District- Madhepura
8. Sanjit Kumar S/o Bithal Yadav R/o Village - Gourraha (Gorraha) Ward No. 9, P.S - Singheshwer, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-09-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 115(2), 126(2), 109, 303(2), 352 and 3(5) of the BNS.



3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case, petitioner no. 2 has antecedent of two cases and petitioners no. 3 to 8 are persons with clean antecedent and petitioner no. 3 is a woman and the informant alleges that he was constructing his house over his land when the accused persons including the petitioners came and asked him to stop the construction. On protest, Vijendra gave orders to kill on which Bipin Kumar (petitioner no. 2) assaulted the informant by an iron rod causing injury on his head. Thereafter, Sachindar Yadav (petitioner no. 1) assaulted the informant by lathi on his head and Ravindar and Dinkar Kumar (petitioner no. 7) assaulted Ramchandra by lathi and rod on his head causing injury. Further, other accused persons assaulted Amresh, Naresh, Mukesh and Jai Prakash by lathi and rod causing injury on back, leg, hand and ribs. Further, Sanjay dashed the wife of the informant on the ground and thereafter accused Lila Kant, Uriya Devi, Nitu Devi, Sanjana Devi and Nilu Devi assaulted and Lila Kant snatched ornament of his wife and took out Rs.50,000/- from his pocket.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the



allegation as alleged in the FIR, it would manifest that on account of dispute relating to construction of house over a piece of land an altercation took place in which both sides assaulted each other. It is next submitted that petitioners are claiming that the land belongs to them while the informant is disputing the said claim. It is also submitted that no doubt, the allegation of assault is alleged against the named accused persons Bipin Kumar, Sachindar Yadav and Dinkar Kumar but then the injury suffered by the injured has been opined to be simple in nature and the blow is not alleged to have been repeated. It is further submitted that allegation of snatching ornament and taking Rs.50,000/- is ornamental in nature in order to give seriousness to the case. It is next submitted that apart from the aforesaid petitioners, there is no specific allegation of assault against rest of the petitioners. It is also submitted that even the blow is not alleged to have been repeated.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that the injury suffered by the injured is simple in nature.



6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Madhepura P.S. Case No. 373 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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