

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62569 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- Bhalpatti District- Darbhanga

Surendar Yadav S/O Rajaram Yadav R/O Village - Nainaghat, P.S. - Bhalpatti,
Dist. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uma Shankar Singh, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-09-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Bhalpatti P.S. Case no.34 of 2025 registered under Sections
191(2), 190, 126(2), 115(2), 118(1), 117(2), 303(2) and 324(4) of
the B.N.S, 2023.

3. As per the prosecution case, on 23.04.2025 at
about 9:00 p.m. all six named accused persons including the
petitioner herein came to the house of the informant and cut down
the banana tree. On protest, accused Surender Yadav assaulted
one Rina Devi on her head due to which she received head injury.

4. Learned counsel for the petitioner submits that
the petitioner and the informant are the neighbors and had been
fighting amongst each other on some trivial issues. There is a
case and counter case filed by the petitioner's side being
Bhalpatti P.S. Case No. 36 of 2025 instituted under Section 109
of the B.N.S. whereas the present case has been lodged under



Section 117(2) of the B.N.S. and not under Section 109. He further submits that the specific allegation of assault on Rina Devi is upon this petitioner and the injury report has been found to be simple in nature which would be evident from the bail rejection order of the learned Court below itself. 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.

6. Taking into consideration the fact that there is case and counter case and also considering the fact that the injury attributed to the petitioner is simple in nature, it is directed that the petitioner above named, having 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 Bhalpatti P.S. Case no.34 of 2025 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 Court below where the case is pending/successor Court, 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)

Harsh/-

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