

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64763 of 2025

Arising Out of PS. Case No.-454 Year-2024 Thana- KATEYA District- Gopalganj

Janardan Yadav S/o- Shivdeni Yadav Village- Kanchanpur Ps- Kateya Dist-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Kateya P.S. Case No. 454 of 2024 registered for the offences punishable under Sections 115(2), 126(2), 118(1), 74, 190(1), 303(2), 191(2), 190, 351(2), 352 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 nephew Pankaj Yadav by means of Daab, as a result of which he sustained injury.

4. Learned counsel for the petitioner submitted that petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated in this case. It is submitted that petitioner and informant are



agnates and there is dispute between the parties with regard to partition and pavement. It is submitted that informant and his family members have blocked the passage of the petitioner which was existing for years through Khata No. 54, Khesra No. 312 for which several rounds of *panchayati* has taken place, as stated in para 8 of the petition. It is submitted that from perusal of the F.I.R., it is evident that the dispute has arose on account of construction of pavement on the land in question. It is submitted that in cases of land dispute, facts are generally exaggerated to make the offence graver. It is submitted that the injuries sustained by informant's nephew Pankaj Yadav has been found to be simple in nature caused by hard and blunt substance, as as evident from the Injury Report contained in Annexure-P/2. In this way the allegations levelled in the first information report is completely inconsistent with the injury report. Petitioner bears clean antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits 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, injuries



sustained by the informant’s nephew have been found to be simple in nature, 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 arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VI, Gopalganj in connection with Kateya P.S. Case No. 454 of 2024, subject to the conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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