

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69460 of 2025

Arising Out of PS. Case No.-44 Year-2024 Thana- MAIN P.S. District- Gaya

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Birendra Yadav S/o Late Rajnandan Yadav R/o Village- Chirmichi Bigha,
P.S.- Men, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-10-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Men P.S. Case No. 44 / 2024 dated 22.08.2024 registered
under Sections 191(2), 190, 126(2), 115(2), 117(4), 332(c),
305(a), 74, 352, 351 (3) of the B.N.S.

3. As per the F.I.R. on 18.08.2024 at about 8:20 P.M. the
petitioner - Birendra Yadav along with the co-accused / Ram
Swarup Yadav and six other persons came at the house of the
informant and started knocking the door. When the informant
opened the door, all the accused persons entered into the house
and assaulted the informant on head by iron rod however it hit
the informant's thigh instead of head due to which he sustained
injury on the thigh.

4. Learned counsel for the petitioner submits that petitioner is



innocent and has not committed any offence in the manner alleged. He submits that the informant's family and the petitioner's family are co-sharer having land dispute. He further submits that F.I.R. has been lodged after four days delay inasmuch as the occurrence is said to have taken place on 18.08.2024 whereas the F.I.R. has been lodged on 22.08.2024 without any plausible explanation. There is case and counter case between the parties inasmuch as the wife of the petitioner has lodged Men P.S. Case No. 45 / 2024 against the informant's family. He next submits that as per the F.I.R. the informant sustained injury on thigh which is non vital part of the body. The petitioner has no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are co-sharer having land dispute and the informant sustained injury on thigh which is non vital part of the body, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Smt.



Dipti Singh Chauhan, J.M. 1st Class, Gaya in connection with
Men P.S. Case No. 44 / 2024 subject to the condition as laid
down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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