

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74252 of 2024

Arising Out of PS. Case No.-102 Year-2024 Thana- KUMAR KHAND District- Madhepura

1. Raben Yadav @ Raven Kumar Yadav Son of Sri Parmanand Yadav R/O Vill.- Suriya, P.S.- Kumarkhand, Dist.- Madhepura.
2. Ashish Yadav @ Ashish Kumar Son of Sri Parmanand Yadav R/O Vill.- Suriya, P.S.- Kumarkhand, Dist.- Madhepura.
3. Arbind Yadav @ Arbind Kumar Son of Sri Parmanand Yadav R/O Vill.- Suriya, P.S.- Kumarkhand, Dist.- Madhepura.
4. Puran Mandal @ Lalit Nath Mandal Son of Late Surya Narayan Mandal R/O Vill.- Suriya, P.S.- Kumarkhand, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad
For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 6 08-05-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kumarkhand Police Station Case No. 102 of 2024, disclosing offences under Sections 447, 341, 323, 324, 325, 354, 379, 307, 427, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.
3. As per the FIR, on 14.04.2024, the informant was in the field with his wife and son for harvesting the mustard crops. In the meanwhile, the petitioners, along with other



accused persons armed with lathi, danda, gun, sickle etc., assaulted the informant, his wife, son, and other family members. When Birendra Yadav and Mohan Yadav came for rescue of the informant, Puran Mandal and Deepak Kumar assaulted Mohan Yadav and other accused persons assaulted the informant's son namely Raj Kumar. The accused persons destroyed the crops and motorcycle of the informant.

4. Learned Counsel for the petitioners submits that there is a dispute regarding land between the parties having Plot Nos. 1131, 1419, and 1433 and area of 8.30 acres belonging to matth. Both the petitioners and the side of the informant are claiming the property of the matth and the petitioner no. 4 is the member of the Managing Committee. A counter case has been lodged by the side of the petitioners bearing Kumarkhand PS Case No. 107 of 2024.

5. On the other hand, learned counsel for the state argued that there is allegation of firing upon petitioner no. 3 and as per the injury report, the informant's wife has sustained gunshot injury on her thigh. With regard to the injury sustained by the informant's son namely Raj Kumar, he has got injury in the wrist. Birendra Yadav and Mohan Yadav have got injury in the parietal region, but opinion of the doctor is reserved. Puran



Mandal, petitioner no. 4 has already withdrawn the bail application as he was arrested during the pendency of this application.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is allegation of firing upon petitioner no. 3 and the fact that petitioner no. 1 is having 5 criminal antecedents, I am not inclined to grant privilege of anticipatory bail to petitioner nos. 1 and 3. Accordingly, the prayer for bail of petitioner nos. 1 and 3 is rejected.

7. Considering the allegation upon petitioner no. 2, I am inclined to grant the privilege of anticipatory bail to petitioner no. 2.

8. This application is, accordingly, allowed to the extent indicated above.

9. Let the petitioner no. 2, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Darbhanga, in connection with Bahera Police Station Case No. 256 of 2018, subject to the condition laid



down under Section 438 (2) of the Code of Criminal
Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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