

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78618 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- PARSAUNI District- Sitamarhi

Bindeshwar Rai @ Bindeshwar Prasad Yadav Son of Late Ganesh Prasad @
Ganesh Prasad Yadav Resident of Village- Dema, P.S.- Parsauni, Dist-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 17-01-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of regular bail, arises
out of Parsauni PS case no. 106 of 2024, disclosing offences
punishable under Sections 191(2), 126, 115, 303, 117(2), 109
and 352 of the B.N.S., 2023.
3. As per the prosecution story, on 06.07.2024, the
informant's brother i.e., petitioner, who was living separately,
started digging the passage and when objected by the informant,
co-accused assaulted the informant by means of iron rod on his
head. Thereafter all the accused persons assaulted the informant.
It has further been alleged that the accused persons assaulted the
daughter-in-law, Kanti Devi, by means of lathi and the petitioner

pulled her on the ground by catching hold of her hair.

4. Learned counsel for the petitioner submits that the petitioner is the full brother of the informant. There is dispute between them with regard to passage. A counter case has been lodged by the side of the petitioner bearing Parsauni P.S. Case No. 105 of 2024. The allegation against the petitioner of assault is not specific, the same is general and omnibus in nature. The co-accused persons, Rajesh Rai and Manoj Kumar, who happened to be the sons of the petitioner, have been granted anticipatory bail by this Court in Cr. Misc. No. 80472 of 2024. The petitioner is in custody since 22.07.2024.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are closely related, the occurrence has taken place due to dispute regarding passage between them, co-accused persons have been granted anticipatory bail by this Court and the petitioner is in custody since 22.07.2024. I am inclined to grant regular bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, above named, 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

J.M. 1st Class-cum-Additional Munsif, Sitamarhi, in connection
with Parsauni P.S. Case No. 106 of 2024.

(Anil Kumar Sinha, J)

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