

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79580 of 2024

Arising Out of PS. Case No.-131 Year-2024 Thana- GRIYAK District- Nalanda

Mukesh Yadav S/O Upendra Yadav R/O Village- Maira Bigha, P.S- Katrisarai,
Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 24-02-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Giriyak / Katrisarai P.S. Case No. 131 of 2024 dated
16.04.2024 registered under Sections 147, 148, 149, 341, 323,
324, 325, 448, 307, 504, 506 of the I.P.C. and Section 27 of the
Arms Act.

3. As per the prosecution case on 15.04.2024 in the night
scuffle took place between the informant and the petitioner and
other accused persons due to lifting of soil from the field of the
informant. On 16.04.2024 in the morning at about 3:00 A.M. all
the accused persons including the petitioner armed with lathi,
danda, rod etc. started knocking the door of the informant and
abused him. When the informant's brother - Manoj Yadav
objected, the accused persons assaulted him and the petitioner



assaulted the informant's brother by means of sword on his head due to which he sustained injuries. The petitioner and other accused persons also assaulted the family members of the informant.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to land dispute between the parties. He further submits that there is general and omnibus allegation against the petitioner, however, in order to implicate him in the present case allegation has been attributed to the petitioner. During the course of investigation none of the witnesses have supported the prosecution story. The injured witness has not been examined during the course of investigation. Some of the co-accused persons have been granted anticipatory bail by this court vide order dated 29.01.2025 passed in Cr. Misc. No. 72797 of 2024.

5. On the other hand, learned counsel for the informant and the State opposed the prayer for anticipatory bail and submits that in the F.I.R. there is specific allegation of assault against the petitioner and the victim has sustained grievous injury as per the injury report.

6. Regard being had to the submission made by the parties, taking into consideration the fact that there is specific allegation



of assault against the petitioner and the victim has sustained grievous injury on his head, as such, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

7. However, if the petitioner surrenders and seeks regular bail, the court below shall consider the same in accordance with law without being prejudiced by the fact that the present anticipatory bail application has been rejected by this Court.

(Anil Kumar Sinha, J)

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