

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78096 of 2025

Arising Out of PS. Case No.-86 Year-2024 Thana- RUDRAPUR District- Madhubani

1. Ram Shankar Saday son of Kari Saday Resident Of Village- Fulwariya, Ps- Rudrapur, Dist- Madhubani
2. Ramayan Saday @ Ramayan Kumar Saday son of Kari Saday Resident Of Village- Fulwariya, Ps- Rudrapur, Dist- Madhubani
3. Ram Gulam Saday Son of Kari Saday Resident Of Village- Fulwariya, Ps- Rudrapur, Dist- Madhubani
4. Ram Pari Devi wife of Shibu Saday Resident Of Village- Fulwariya, Ps- Rudrapur, Dist- Madhubani
5. Sarita Devi Wife of Ram Shankar Saday Resident Of Village- Fulwariya, Ps- Rudrapur, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mani Shankar Kumar
For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-12-2025 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 Rudrapur Police Station Case No. 86 of 2024, dated 07.08.2024, disclosing offences punishable under Sections 191 (2)/191(3)/190/126/115(2)/110/303(2)/352/351(2)/351(4)/61(2) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 02.08.2024, at about 11 AM, the petitioners came to the fish pond of the informant, variously armed,



and started fishing from the pond. When the informant and his three brothers objected, the petitioner no. 1 assaulted by dabia on the head of Lalan Yadav, petitioner no. 3 assaulted by iron rod on the head of Lalan Yadav, which hit him on the hand, petitioner no. 2 assaulted by lathi on the head of Dharmendra Yadav, due to which he sustained injury on his head and the petitioner no. 5 assaulted by iron rod on the head of Manishankar Yadav, due to which he sustained injury on his head. The petitioners also took away 1.5 quintols of fish, worth Rs. 45,000/-.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners are labourers and were hired for fishing from the pond by Santosh Kumar Rai, who is the owner of the pond in question. He further submits that there is case and counter case between the parties inasmuch as Rudrapur Police Station Case No. 84 of 2024, which is prior to the present First Information Report, was lodged by the side of the petitioners against the family members of the informant, alleging assault, due to which the side of the petitioners



have sustained grievous injury. He next submits that victims of the informant side have sustained injuries, which are simple in nature.

- 5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioners are labourers, there is dispute regarding ownership of the fish pond and the injuries sustained by the injured are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, 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 Judicial Magistrate, 1st Class, Jhanjharpur, in connection with Rudrapur Police Station Case No. 86 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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