

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79807 of 2024

Arising Out of PS. Case No.-295 Year-2024 Thana- MUFFASIL District- Aurangabad

1. Murari Yadav @ Murari Kumar S/o Laxman @ Ramji Yadav R/o vill - Akauna, P.S. - Muffasil, Distt. - Aurangabad
2. Srikant Yadav @ Srikant kumar S/o Laxman @ Ramji Yadav R/o vill - Akauna, P.S. - Muffasil, Distt. - Aurangabad
3. Munna Yadav S/o Shatrughan Yadav R/o vill - Akauna, P.S. - Muffasil, Distt. - Aurangabad
4. Munshi Yadav S/o Shatrughan Yadav R/o vill - Akauna, P.S. - Muffasil, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 17-01-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Aurangabad (Muffasil) P.S. case no. 295 of 2024, disclosing offences punishable under Sections 126(2), 115(2), 109, 352, 351(2) and 3(5) of the B.N.S., 2023.
3. As per the F.I.R, on 18.08.2024 in the morning when the informant along with his brothers were sitting near the door of his house, the petitioners, along with other accused persons, having *lathi*, *khanti* in their hands, arrived there and

assaulted them, as a result of which the informant and his brother sustained injuries.

4. Learned counsel for the petitioners submits that petitioners are next door neighbour of the informant and the occurrence has taken place due to filling of soil in the adjacent land. There is a case and counter case and Mufassil P.S. Case No. 294 of 2024 has been lodged by the side of the petitioner no. 2 against the informant and others. The father of the petitioner nos. 1 and 2 has sustained grievous injury in the right side of the nasal bone due to assault made by the informant side, which would be evident from Annexure-P/4. The father of the petitioner no. 2 was taken into custody. The petitioner no. 1 has also sustained injury which would be evident from Annexure-P/4. The informant has sustained grievous injury and his two brothers have sustained simple injury as is evident from Annexure-P/2 series. Accordingly, the submission is that both sides have sustained grievous injuries and from the side of the petitioners, one person, i.e. father of petitioner no. 1 and 2 was arrested. The allegation against the petitioners are general and omnibus in nature.

7. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that

both the parties are neighbours having land dispute, case and counter case is there, some of the persons from both the sides have sustained grievous injuries, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad, in connection with Aurangabad (Muffasil) P.S. Case No. 295 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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