

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83044 of 2024

Arising Out of PS. Case No.-212 Year-2024 Thana- BHARGAMA District- Araria

Vijay Yadav @ Suresh Kumar Yadav Son of Satyadeo Yadav R/O At and P.O.-
Jaynagar, P.S.- Bhargama, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sitaram Prasad, Adv
For the Opposite Party/s :	Mr. Ram Priya Sharan Singh, Adv
For the Informant	Mr. Komal Kishore Singh, Adv

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 06-08-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under sections 126(2), 115(2),
303(2), 308(2), 109, 119(1), 74, 352, 351(2) and 3(5) of BNS
Act.

3. The allegation in the FIR is that the accused persons
came to the field of the informant and while hurling abuses,
assaulted the informant and on protest, the petitioner assaulted
Deelip Kumar by means of Farsa on his head causing injury.

4. Learned counsel for the petitioner submits that it would
be apparent from the FIR itself, that a dispute had taken place
between both the sides with regard to a land dispute. It is further



submitted that for an occurrence which took place on 12.07.2024 and the FIR came to be lodged on 15.07.2024 ie. after delay of three days without any explanation. Further for the same incident, a case was also filed by the petitioner Vijay Yadav against the present informant and others which was earlier in point of time however, it was also filed after two days of the occurrence. It is further submitted by way of Annexure P-3 of the supplementary affidavit that one of the injury suffered by his brother Ramesh Yadav @ Kundan Yadav in the incident was also grievous in nature. Further, as against the allegation of assault by farsa in the present case, the injury is opined to have been caused by hard and blunt substance.

5. Learned counsel for the informant however, opposes the anticipatory bail on account of grievous injury suffered by the injured.

6. Taking into consideration the facts and circumstances and also considering that grievous injury has been suffered on both the sides, besides there being case and counter case and the petitioner's case being earlier in point of time, let the petitioner, in the event of his arrest/ surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned court below where the case is pending/ successor court in Bhargama P.S.Case No. 212 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C .

7. However, the learned court below is directed to verify the fact whether Ramesh Yadav is the alias name of Kundan Yadav , the brother of the petitioner, as has been alleged in the supplementary affidavit filed by the petitioner and the petitioner would also file a copy of the present supplementary affidavit before the learned court concerned.

(Soni Shrivastava, J)

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