

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90315 of 2024

Arising Out of PS. Case No.-100 Year-2024 Thana- BIHRA District- Saharsa

Subhash Yadav Son of Late Priyavrat Yadav Village- Mokana, Ps- Bihra,
Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 29-01-2025 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Bihra PS case no. 100 of 2024, disclosing
offences punishable under Section 307 and other allied
sections of the Indian Penal Code.
3. The prosecution story, as per the First
Information Report, is that on 13.05.2024 in the evening, no
sooner than the informant arrived at his resident from
Banaras, 3-4 unknown persons arrived on the motorcycle,
started abusing and assaulting him. The petitioner along with
others assaulted the informant on his head by iron rod and
when his wife intervened, the petitioner caught her hair and



pulled her on the ground.

4. Learned Counsel for the petitioner submits that petitioner is younger brother of the informant and there is dispute regarding property between them. The allegation against the petitioner is that he along with other unknown persons assaulted the informant. The prosecution has not brought the injury caused to the informant on record. Learned counsel further submits that there is possibility of amicable settlement between both the brothers.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both petitioner and informant are own brothers, the injury caused to the informant has not been brought on record by the prosecution and there is land dispute between them, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, 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, Saharsa



in connection with Bihra PS case no. 100 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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