

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.394 of 2025

Arising Out of PS. Case No.-181 Year-2024 Thana- SARMERA District- Nalanda

1. Kanhai Yadav @ Kanhaiya Yadav @ Kanhaiya Kumar Son of Fulan Yadav R/o - Village-Gowachak, P.S - Sarmera, District - Nalanda
2. Sudama Yadav @ Sudama Kumar Son of Jagrup Yadav R/o - Village-Gowachak, P.S - Sarmera, District - Nalanda
3. Sahdev Yadav Son of Haro Yadav R/o - Village-Gowachak, P.S - Sarmera, District - Nalanda
4. Sakal Yadav @ Sakaldev Yadav Son of Haro Yadav R/o - Village-Gowachak, P.S - Sarmera, District - Nalanda
5. Pintu yadav Son of Brahadeo Yadav R/o - Village-Gowachak, P.S - Sarmera, District - Nalanda
6. Okil Yadav @ Wakil Yadav Son of Sahdev Yadav R/o - Village-Gowachak, P.S - Sarmera, District - Nalanda
7. Meghan yadav Son of Sakal Yadav R/o - Village-Gowachak, P.S - Sarmera, District - Nalanda
8. Rajiv Kuamr @ Rajeev Singh Son of Ravindra Singh @ Mangal Singh R/o - Village-Gowachak, P.S - Sarmera, District - Nalanda
9. Sintu Kumar @ Bablu Kumar @ Sintu Yadav Son of Brahamdeo Yadav R/o - Village-Gowachak, P.S - Sarmera, District - Nalanda
10. Niwas Yadav @ Niwas Kumar Son of Jagrup Yadav R/o - Village-Gowachak, P.S - Sarmera, District - Nalanda
11. Rakesh Yadav @ Rakesh Kumar Son of Sakal Yadav R/o - Village-Gowachak, P.S - Sarmera, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 05-02-2025 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 Sarmera Police Station Case No. 181 of 2024, disclosing offences under Sections 191(3), 190, 126(1), 115(2), 109(1), 351, 352 of the BNS, 2023 and Section 27 of the Arms Act.

3. As per the FIR, on 16.08.2024, when the informant went to plough his land, then petitioners and other accused persons arrived there and abused the informant and his family members and started firing. The accused persons assaulted the informant and his brothers and uncle by means of iron rod and lathi due to which they sustained injury.

4. Learned Counsel for the petitioners submits that altogether 21 persons are named in the FIR and allegation against them are general and omnibus in nature that they assaulted the informant and his brothers. The injury caused to one brother of the informant is simple in nature and injuries caused to the second brother are simple in nature except one injury i.e., injury no. 2 on the left arm and fore arm which is said to be grievous. Injuries caused to the uncle of the informant, Ishwar Yadav, are simple except injury no. 1 is said to be grievous over the right frontal bone. He further submits that from perusal of the injury, it appears that the same is not dangerous and the size of the injury is 1 x 1/6 x 1/6 inch over



the frontal bone.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioners are having no criminal antecedent and the allegation against them is general and omnibus in nature and there is land dispute between the parties for which Title Appeal No. 06 of 2024 is pending, 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 four 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 Chief Judicial Magistrate, Nalanda at Bihar Sharif, in connection with Sarmera Police Station Case No. 181 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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