

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.3714 of 2025

Arising Out of PS. Case No.-214 Year-2024 Thana- KHAIRA District- Jamui

- 1. Videshi Yadav Son of Indradev Yadav Resident of Village -Kewal (Fariatta), PS- Khaira, District- Jamui
- 2. Nitesh Yadav Son of Indradev Yadav Resident of Village -Kewal (Fariatta), PS- Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar
For the Opposite Party/s : Mr. Rita Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 309-05-2025
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 Khaira Police Station Case No. 214 of 2024, dated 30.05.2024, disclosing offences under Sections 147/148/341/323/324/325/504/506/379/307 of the Indian Penal Code.
3.

The prosecution case, as per the First Information Report, is that on 30.05.2024, in the morning, when the informant was sleeping with his family members, his brother Indradev Yadav and other accused persons, including the



petitioners, arrived at the house of the informant armed with sword, iron-rod, lathi, danda, tangi, etc. The co-accused Indradev Yadav assaulted the informant by means of sword on his head. The petitioners assaulted the informant on his head by means of iron-rod. When the informant's elder brother Bhuneshwar Yadav and cousin his grand-son Bablu intervened, the petitioners assaulted Bhuneshwar Yadav by means of iron-rod on his head.

4. Learned counsel for the petitioners submits that petitioners are nephew of the informant and there is land dispute between the parties. He next submits that a counter case has been lodged by the side of the petitioners against the informant and others. He further submits that injuries sustained by the victims are simple in nature except one injury caused to the informant on his hand/ulna which is non-vital part of the body.
5. Learned Additional Public Prosecutor opposed the prayer for bail and submits that allegation of assault is there against the petitioners and grievous injury at hand/ulna has been caused to the informant.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the



parties are closely related having land dispute between them, case and counter-case has been lodged by the side of the petitioners and injuries are simple in nature except one injury which is on non-vital part of the body, I am inclined to grant the petitioners privilege of anticipatory bail.

- 7. This application is, accordingly, allowed.
- 8. 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Khaira Police Station Case No. 214 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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