

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14523 of 2026

Arising Out of PS. Case No.-58 Year-2025 Thana- Bhatni District- Madhepura

1. Prabhash Kumar @ Prabhash Yadav S/o Raghunandan Yadav R/o Village - Barahkurba Ward no. 12, P.S - Bhatni, District - Madhepura
2. Sanoj Yadav @ Sanoj Kumar @ Nirodh Kumar S/o Shiv Narayan Yadav R/o Village - Barahkurba Ward no. 12, P.S - Bhatni, District - Madhepura
3. Krishna Kumar S/o Vinod Yadav @ Binod Yadav R/o Village - Barahkurba Ward no. 12, P.S - Bhatni, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 25-03-2026 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 Bhatni Police Station Case No. 58 of 2025, dated 07.10.2025, disclosing offences punishable under Sections 126 (2)/115(2) /118(2)1 /109/352/351(2) (3)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 05.10.2025 at about 08 AM, due to the dispute relating to the drainage, the accused persons assaulted the informant and his other family members. It is alleged that



co-accused Manoj Yadav assaulted the father of the informant by means of farsha on his head and the petitioner no. 1 assaulted him by iron rod on his hand due to which the left hand of the informant's father got fractured. When the informant and his mother intervened, the petitioner no. 2 assaulted the informant's mother by lathi.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case for petty dispute. He further submits that both the parties are agnates and counter case is also there. He further submits that there is no allegation of commission of any overt act against the petitioner no. 3 and the allegation against the petitioner no. 2 is that he assaulted the mother of the informant by lathi, but the prosecution failed to bring on record any injury report with respect to the mother of the informant. He next submits that due to the assault made by petitioner no. 1, the left hand of the father of the informant got fractured, which is non-vital part of the body.
5. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for bail and submits that



due to the assault made by petitioner no. 1, the informant's father received grievous injury.

6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the grievous injury sustained by the informant's father is attributable to the petitioner no. 1, I am not inclined to grant the petitioner no. 1 privilege of anticipatory bail.
7. This application, so far as petitioner no. 1 is concerned, is dismissed.
8. However, considering the fact that there is no allegation against petitioner no. 3 and the prosecution has failed to bring on record the injury of informant's mother, which is allegedly attributable to petitioner no. 2, I am inclined to grant the petitioner nos. 2 and 3 privilege of anticipatory bail.
9. This application, so far as petitioner nos. 2 and 3 are concerned, is allowed.
10. Let the petitioner nos. 2 and 3, above named, in the event of their arrest or surrender before the Court below within a period of 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 Additional Chief Judicial Magistrate-III, Madhepura, in connection with Bhatni Police Station Case No. 58 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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