

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16498 of 2026

Arising Out of PS. Case No.-33 Year-2024 Thana- Kanaria District- Saharsa

Thakan Jadav @ Chhatri Yadav @ Chhatri Jadav @ Thakkan Yadav @
Dhakkan Yadav S/O Basdeo Yadav R/O Village - Sukhasan, P.S- Kanariya,
District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-04-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of the
informant.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 109, 126(2),
115(2), 118(1) and 3(5) of the BNS.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case but then the case is of the
year 2015 and the informant alleges that the accused persons
including the petitioner were ploughing his field on 26.12.2024, at
08:30 a.m, and on objection by his son, accused Balram fired but
his son saved himself and fell when petitioner assaulted him by
rod causing injury on head but then the blow is not repeated and
Laltu Yadav crushed his son by the tractor causing fracture of leg
and his nail of left hand came out.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the occurrence is alleged to have taken place. It is next submitted that petitioner's side is claiming that the land belong to them while informant's side is caliming that the land is their land on which an altercation took place in which both sides assaulted each other. It is also submitted that no doubt, petitioner is alleged to have assaulted the son of the informant by an iron rod causing injury on head but then from perusal of the injury report, it would manifest that the injury is skin deep and the same has been opined to be simple in nature and the injury caused by the tractor has been opined to be grievous in nature but then the allegation of overrunning the son of the informant by the tractor is against Laltu Yadav who is not the petitioner in the instant anticipatory bail application. It is further submitted that Balram Yadav @ Balram Kumar had come to this Court seeking anticipatory bail by filing Cr. Misc. No. 82040 of 2025 and the same came to be allowed by an order dated 15.01.2026 passed by a learned Coordinate Bench of this Court. It is next submitted that petitioner is a senior citizen aged about 60 years.

5. Learned Additional Public Prosecutor for the State



and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that petitioner is a senior citizen and the injury on head has been opined to be simple in nature and the blow is not alleged to be repeated.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Kanariya P.S. Case No. 33 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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