

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91142 of 2025

Arising Out of PS. Case No.-232 Year-2025 Thana- KAUWAKOL District- Nawada

1. Jitendra Kumar @ Jitendra Yadav S/o- Devi Yadav Resident of at Bindichak PS- Kouwakoal Dist- Nawada
2. Abendra Yadav @ Abendra Kumar S/o- Devi Yadav Resident of at Bindichak PS- Kouwakoal Dist- Nawada
3. Ganesh Kumar @ Ganesh Yadav S/o- Krishna Yadav Resident of at Bindichak PS- Kouwakoal Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Ranjan

For the Informant : Mr. Rajesh Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 01-04-2026 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 Kouwakol Police Station Case No. 232 of 2025, dated 09.06.2025, disclosing offences under Sections 126(2)/115(2)/118(1)/109/303(2)/352/351(3)/3(5) of the Bhartiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report, is that on 02.06.2025 at about 07:30 PM, while the informant was returning village after doing his work and no sooner than he arrived at chowk near village the petitioners, along with other accused persons, intercepted the informant's motorcycle and assaulted him by means



of tangi, gadasa, etc. Petitioner no. 3, namely, Ganesh Kumar @ Ganesh Yadav, allegedly assaulted with gadasa on the hand of informant.

4. Learned counsel for the petitioners submits that there is case and counter case between the parties due to long standing land dispute. He next submits that the case lodged by the side of the petitioners is prior in time inasmuch as for the occurrence which has taken place on 02.06.2025, the FIR, bearing Kouwakol Police Station Case No. 226 of 2025, was lodged by the side of petitioners on 05.06.2025 against the informant and others. After lodging of the FIR by the side of the petitioners, in retaliation, the present FIR has been lodged after 07 days on 09.06.2025 having the same date of occurrence i.e. 02.06.2025. He further submits that allegations against the petitioners are general and omnibus in nature and no specific allegation has been alleged against the petitioners.
5. On the other hand, learned counsel for the informant opposes the prayer for bail and submits that all the accused persons surrounded the informant, brutally assaulted him and injuries sustained by the informant is



grievous in nature.

6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that there is long standing land dispute between the parties, case lodged by the side of petitioners is prior in time and injury report does not show the date of examination of informant, 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 his 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 Additional Chief Judicial Magistrate - V, Nawada, in connection with Kowakol Police Station Case No. 232 of 2025, subject to the condition laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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