

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6822 of 2018

Arising Out of PS.Case No. -241 Year- 2016 Thana -KHIJARSARAI District- GAYA

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1. Dharmendra Yadav, Son of Ram Chandra Yadav.
2. Sanjay Yadav, Son of Arjun Yadav.
All resident of Village- Murarchak, P.S.- Khizersarai, District- Gaya.
..... Petitioner/s

Versus

The State of Bihar.

..... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vijay Bharti, Advocate.

For the Opposite Party/s : Mr. (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-02-2018 Heard learned counsel for petitioners and learned
counsel representing the State.

Petitioners are seeking anticipatory bail in Khizersarai
P.S. Case No. 241/16 for the offences registered under Sections
147, 149, 323, 504, 307 and 427 of the Indian Penal Code.

Learned counsel for the petitioners submits that this
case is a counter-blast of Khizersarai P.S. Case No. 240/16 lodged
by the petitioners' side. According to the learned counsel, both the
parties are own Gotias and have fought over a land dispute and in
the free fight it seems that both the parties have assaulted each
other causing injuries. Learned counsel submits that there is no
specific allegation against any of the accused persons, particularly
against these petitioners.

On the other hand, learned counsel representing the



State submits that from Annexure-2, which is the injury report of an injured Rajeev Kumar, it would appear that there are multiple injuries caused on the vital part of his body; injury no. 1 & 3 are said to have been caused by sharp-cutting weapon whereas injury no. 2, 4 & 5 have been caused by hard and blunt object.

Considering the facts and circumstances, particularly that there are multiple injuries on the body of the injured Rajeev Kumar, I am not inclined to extend the privilege of anticipatory bail to the present petitioners.

The petitioners may, if so advised, surrender and pray for regular bail in the court below within a period of four weeks from today. The court below shall consider the bail application without being prejudiced by the order of rejection of the anticipatory bail and shall consider the submissions of the petitioners, particularly that both the parties are Gotias and there are case and counter-case from which it appears that both the parties have caused simple injuries to each other.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

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